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2003
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AGENDAS/MINUTES
COMMITTEE OF THE WHOLE
CITY OF HAMILTON
MAR.18/03 ...APR.8/03

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MUNICIPAL DOCUMENT

City of Hamilton

AGENDA

COMMITTEE OF THE WHOLE 03-007

Tuesday, March 18, 2003

9:30 a.m.

Council Chamber
Hamilton City Hall
71 Main Street West
Hamilton, Ontario

Kevin C. Christenson
City Clerk

Please note: All cellular telephones and pagers to be switched to a non-audible function during Council and Committee meetings.

Agenda available on-line at www.hamilton.ca
(click on "City Government")

1. DECLARATIONS OF INTEREST

2. ADOPTION OF MINUTES

2.1 March 4, 2003

3. DELEGATION REQUESTS

None

4. CONSENT ITEMS

4.1 Demolition Permit - 49 Mulberry Street (PD03056) (Ward 2)

4.2 Heritage Permit Application (2003-003) under Part IV of the Ontario Heritage Act to Permit the Addition of decorative Exterior Fixtures to an Existing Building at 398 Wilson Street East. Former Town of Ancaster (PD03051)

4.3 Heritage Permit Application (HP2003-001) under Part V of the Ontario Heritage Act to Permit the construction of a Detached residence and Garage at 951 Beach Boulevard within the Hamilton Heritage Conservation District, in the City of Hamilton (PD03050) (Ward 5)

4.4 Heritage Permit Application (HP2002-027) under Part V of the Ontario Heritage Act to Permit the Construction of a Two-Storey addition at 967 Beach Boulevard within the Hamilton Beach Heritage Conservation District, in the City of Hamilton (PD03062) (Ward 5)

4.5 Removal of Holding Symbol for 1588 Upper James Street - B.J.S. Properties Incorporated (Ward 8) (PD03053)

4.6 Removal of Holding Symbol for Lands Legally Described as Part of Lot 10, Concession 1 (Former Town of Flamborough) - Applicant - Gary Neven (PD03063)

4.7 Intersection Controls - Meadowlands of Ancaster (Ward 12) (PW03002)

4.8 To Incorporate Certain city Land into Various Street by By-law (Wards 8 and 12) (PW03004)

5. PRESENTATIONS

5.1 Presentation - Hamilton Airport Gateway Opportunities Study (ECO03004) (Wards 11 & 12)

5.2 Presentation - Selection Committee respecting Commonwealth Games

DISCUSSION ITEMS

6. CITY MANAGER

None

7. ECONOMIC DEVELOPMENT

None

8. CORPORATE SERVICES

None

9. HUMAN RESOURCES

None

10. PLANNING AND DEVELOPMENT

10.1 City Initiative for the Passage of an Interim Control By-law on lands located in the Area of Barton Street and Tiffany Street of the West Harbour Planning Study Area (PD03058) (Ward 1)

10.2 Task Force on Cleanliness and Security in the Downtown Core (PD03035) (Ward 2) (Referred from City Council January 8, 2003)

11. PUBLIC HEALTH AND COMMUNITY SERVICES DEPARTMENT

11.1 Emergency Shelters & Residential Care Facilities Business Process Review and Special Income Business Process Review (HCS03001) City Wide

12. PUBLIC WORKS

12.1 Award of Contract TOE-02-46 (HW) Watermain Replacement and Asphalt Resurfacing (PW03003) (Ward 9)

12.2 Naming of Dieppe Veterans Memorial Park and Cascades Park (Wards 5 and 13) (PW03006)

12.3 Bill 125 - The LCBO Deposit and Return Act (PW03007) (City Wide)

13. JOINT DEPARTMENTAL REPORTS

13.1 HR Matters II Project (ECO03002) (City Wide)

13.2 Response to Central Ontario Smart Growth Panel Discussion Paper (MAY03003)

14. REPORTS BY SUB-COMMITTEES

16.1 Accommodation Study Sub-Committee Report 03-001, March 6, 2003

15. REPORTS BY THE VOLUNTEER CO-ORDINATING COMMITTEES

None

16. ITEMS REFERRED BY CITY COUNCIL

None

17. MOTIONS

17.1 Councillor Merulla
That City Staff be directed to research and report back on the concept of setting up retail booths at City Hall and all City Municipal Service Centres to sell city items (flags, pins, street signs etc.)

18. NOTICES OF MOTIONS

None

19. GENERAL INFORMATION

None

20. PRIVATE AND CONFIDENTIAL

20.1 Redevelopment and Operation of Wentworth Lodge (SPH02020(b))
(Tabled from March 4/03)

20.2 Verbal Update on World Education College
(Tabled from March 4/03)

20.3 Wage Comparison Sample (HUR03004) (City Wide)

20.4 Application to Seek Leave to Appeal
Certificate of Approval No. 6337-5HZV4Q (LS03008)

20.5 Status Report on the Main Commonwealth Games Stadium

21. ADJOURNMENT

OUTSTANDING BUSINESS

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
A.	Report on Colliers Recommendations – HECFI Facilities	March 28/01	Community Services		2002 - Q1
B.	Demolition of 226 Avondale Street	April 25/01	N/A		TABLED by Ward Councillor
C.	Toll for Red Hill Creek Expressway	Nov 21/01	TOE/Finance	Staff to bring a report back on option for tolling Red Hill Creek Expressway	Awaiting Provincial Regulations
D.	Council Communication - Residential Care Facilities	Jan. 23/02	Social and Public Health Services	Referred to staff for comments	
E.	Strategy to attract Factory Outlet stores	Feb. 13/02/further updated on August 6/02	Economic Development	Staff to bring implementation plan to Committee	
F.	Strategy for prioritizing abandoned industrial and commercial warehouse structures	Feb. 13/02 Aug. 13/02 follow-up request made	CMT	Staff to bring implementation plan to Committee	
G.	Remuneration and Expenses	March 5/02	Finance and Corporate Services	Staff to report back in future reports highlighting offsetting revenues which create a net expenditure, consultation with Councillors, indication of expenses authorized as Council expenses	March 2003

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
H.	Pest Control	May 7/02	Planning and Development	Staff to report back on control of pests/rodents prior to demolition permit issued	
I.	Hannon Post Office	May 7/02	Corporate Secretariat	Staff to report back on possibility of address changes that align with telephone exchanges	
J.	Correspondence from Hamilton District Labour Council/HUC Corporation Position Paper	Apr. 30/02	F&CS and HUC	Staff to bring report back	
K.	Options for returning profits - Hydro	June 10/02	Finance and Corporate Services	Staff to report back with options for returning profits	
L.	Capital Program to modify mountable curb driveway approaches	July 2/02	TOE	Three sections tabled pending public consultation	
M.	Uncovered crossovers on highways	August 6/02	Risk Management and Legal	Staff to bring report back on uncovered crossovers on highways	
N.	Delivery of ambulance services, response times, standards, dispatch	August 6/02	Chief Peace	Staff to bring report back on status of delivery	
O.	Floating Casino - West Harbour	August 13/02	Legal Services	Staff to report back on feasibility of securing a casino license for floating casino	Nov./02

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
P.	Downtown cleanliness	August 13/02	TOE	Staff to report back on how much it cost to keep the downtown clean prior and during FCM	
Q.	Correspondence from Mr. Reginald Beaudry respecting Tree Species List	Council Communication of September 11, 2002	Community Services	Staff to report back to Committee of the Whole as part of the Forestry Management Plan exercise	
R.	Hamilton Future Fund	Sept. 10/02	Finance and Corporate Services	Staff to provide monthly reports to Council and Trustee Panel on the approved projects to assist in monitoring	Ongoing
S.	Services Review - City Maintenance Operations	Sept/10/02	City Manager	City Manager to provide ongoing and final reports to Council on behalf of the Services Review Committee	Ongoing
T.	Hamilton's Wastewater System	Sept. 17/02	TOE	Staff to investigate possible partnership re: dredging of the Windemere basin, Updates	
U.	Subsection g) HMRF/HWRF Pension Administration Sub-Committee Report	Sept. 24/02	COW	Tabled pending delegation from Hamilton Police Association appearing at HSC	
V.	By-law to regulate postering of signs on public property	Sept. 17/02	TOE & FCS	Staff to prepare by-law to regulate	
W.					
X.					

SECTION 2

2.1

Committee of the Whole
MINUTES
9:30 a.m.
Tuesday, March 4, 2003
Council Chambers
Hamilton City Hall
71 Main Street West, Hamilton

Present:	Mayor R. Wade
	Councillors A. Bain, D. Braden, M. Caplan, C. Collins, F. D'Amico, M. Ferguson, A. Horwath, T. Jackson, B. Kelly, S. Merulla, D. Mitchell, M. McCarthy, R. Powers
Absent with regrets:	Councillor L. Dilanni, B. Morelli - City Business

THE FOLLOWING ITEMS WERE REPORTED TO CITY COUNCIL FOR CONSIDERATION:

1. **Quarterly Status Report on Use of Policy #10 - Emergency Purchasing and Policy #11 - Negotiations for the 4th Quarter 2002 (FCS02105(b) (City Wide) (Item 4.1)**

   That the quarterly status report on use of Policy #10 – Emergency Purchasing and Policy #11 – Negotiations for the 4th Quarter 2002 as set out in Appendix 'A' to Report #FCS02105(b) be received. CARRIED.

2. **Monthly Status Report of Tenders and Requests for Proposals for January 2003 (FCS03053) (City Wide) (Item 4.2)**

   That the Monthly Status Report of Tenders and Requests for Proposals for January 2003 as set out in Appendix 'A' to Report FCS03053 be received for information. CARRIED.

3. **Demolition Permit - 996 Rymal Road East (PD03044) (Ward 6) (Item 4.3)**

   That the Director of Building and Licensing be authorized and directed to issue a demolition permit for 996 Rymal Road East in accordance with By-Law 74-209 pursuant to Section 33 of The Planning Act as amended.
   CARRIED.

4. **Demolition Permit - 112 Wexford Avenue North (PD03043) (Ward 4) (Item 4.4)**

   That the Director of Building and Licensing be authorized and directed to issue a demolition permit for 112 Wexford Avenue North in accordance with By-Law 74-209 pursuant to Section 33 of The Planning Act as amended.
   CARRIED.

5. **Sign Variance Application SV-02-04 for 329 Parkside Drive (Former Town of Flamborough) (PD03047) (Ward 15) (Item 4.5)**

   That Sign Variance Application SV-02-04, Waterdown Long Term Care Inc., owners, for lands located at 329 Parkside Drive, (former Town of Flamborough) to permit a Ground Sign, be approved.
   CARRIED.

6. **Waterdown Business Improvement Area (B.I.A.) - Revised Board of Management (PD03045) (Ward 15) (Item 4.6)**

   That the following individual be appointed to the Waterdown B.I.A.'s Board of Management:

   Margaret Robinson, Pause Awhile Restaurant, 31 Main Street South
   CARRIED.

7. **Waterdown Business Improvement Area (B.I.A.) - Proposed Budget and Schedule of Payment for 2003 (PD03046) (Ward 15) (Item 4.7)**

   (a) That the 2003 operating budget for the Waterdown B.I.A. (attached as Appendix 'A' to Report PD03046) be approved in the amount of $30,850;

   (b) That the 2003 levy portion of the operating budget for the Waterdown B.I.A. in the amount of $30,500 be approved;

   (c) That the General Manager of Finance and Corporate Services be hereby authorized and directed to prepare the requisite by-law pursuant to Section 220, The Municipal Act, R.S.O., 1990, to levy the 2003 budget as referenced in (b) above;

(d) That the following schedule of payments for 2003 be approved:

March	$15,250
July	$ 7,625
October	$ 7,625

Note: 2002 assessment appeals may be deducted from 2003 levy payments. CARRIED.

8. Temporary Closure for Slainte Irish Pub - St. Patrick's Day, Street Festival - Monday, March 17, 2003 (TOE03033) (Ward 2) (Item 4.8)

That the application from Slainte Irish Pub for the temporary closure of Bowen Street between Main Street East and Jackson Street East on Monday March 17, 2003 from 7:00 a.m. until 11:00 p.m. to hold a street festival, be approved subject to the following conditions:

(i) That the prior approval of the Chief of Police or his designate be received and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and

(ii) That the applicant provide proof of $5,000,000 liability insurance, naming the City of Hamilton as an added insured party with a provision for cross liability and holding the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and

(iii) That all barricading, detour signing, H.S.R. rerouting and traffic control be subject to the direction of the General Manager, Public Works or his designate; and

(iv) That all barricading be provided by and at the expense of the applicant; and

(v) That "Temporary Road Closure" signs be installed in advance by the Public Works Department, on the affected roadways, if deemed necessary by the General Manager, Public Works and at the expense of the applicant; and

(vi) That the applicant ensure that clean up operations are carried out immediately before the re-opening of the road, to the satisfaction of the City of Hamilton and at the expense of the applicant; and

(vii) That no property owner or resident within the closure area be denied access to their property upon request; and

(viii) That all property owners and tenants within the closure area be notified by the applicant, prior to the closure, in a form acceptable to the General Manager.

(ix) That the Alcohol and Gaming Commission of Ontario (AGCO) be advised that the City of Hamilton is aware of the application by Slainte Irish Pub, 33 Bowen Street to serve alcohol on the road allowance of Bowen Street on Monday March 17, 2003 from 11:00 a.m. until 11:00 p.m. and that the City has no objection to the AGCO issuance of the appropriate liquor license for the event.

CARRIED.

9. Intersection Control - Intersection of Hawkswood Trail and Kittyhawk Drive (East Intersection) (TOE03024) (Ward 8) (Item 4.9)

(a) That northbound traffic on Hawkswood Trail be required to stop for eastbound and westbound traffic on Kittyhawk Drive (east intersection).

(b) That the attached by-law to amend City of Hamilton By-law 01-215 be passed and enacted. CARRIED.

10. All Way Stop Request - Province Street at Central Avenue (TOE03025) (Ward 4) (Item 4.10)

(a) That all-way stop control be implemented at the intersection of Province Street and Central Avenue; and

(b) That the attached by-law to amend the City Traffic By-law 01-215 be passed and enacted. CARRIED.

11. Stop Sign Installation - Southbrook on the Green Subdivision (Phase 2 & 3) (TOE03026) (Ward 11) (Item 4.11)

(a) That westbound stop control be implemented on Switzer Crescent at Southbrook Drive (north intersection); and,

(b) That westbound stop control be implemented on Switzer Crescent at Southbrook Drive (south intersection); and,

(c) That southbound stop control be implemented on Southbrook Drive at Etherington Crescent (north intersection); and,

(d) That westbound stop control be implemented on Etherington Crescent at Southbrook Drive (south intersection); and,

(e) That northbound stop control be implemented on Riverside Court at Southbrook Drive; and,

(f) That the attached by-law to amend the City Traffic By-law 01-215 be passed and enacted. CARRIED.

12. Request for All-Way Stop Control - Binkley Road and Mineral Springs Road (TOE03027) (Ward 14) (Item 4.12)

(a) That all-way stop control be implemented at the intersection of Binkley Road and Mineral Springs Road; and

(b) That the attached by-law to amend the City of Hamilton Traffic By-law 01-215 be passed and enacted. CARRIED.

13. Stop Sign Installations - Valridge Drive at Tranquility Avenue - Meadowbrook Manors 3B Subdivision (TOE03028) (Ward 12) (Item 4.13)

(a) That northbound and southbound stop control be implemented on Valridge Drive at Tranquility Avenue; and,

(b) That the attached by-law to amend the City Traffic By-law 01-215 be passed and enacted. CARRIED.

14. Tree Removal Request - Seabreeze Crescent from Glover Access Road to McNeilly Road (TOE03029) (Ward 11) (Item 4.14)

That the existing trees, as shown on the attached Tree Inventory be approved for removal to facilitate the construction of a replacement watermain on Seabreeze Crescent in the City of Hamilton. CARRIED.

15. Filming Contract Request - Auchmar Estate - Brewster (BHH) Productions Ltd. (CS03012) (Item 4.15)

(a) That Staff be authorized and directed to enter into a Licence Agreement with Brewster (BHH) Productions Inc. or such other incorporated body to be verified for the purpose of filming a second season of the T.V. series entitled "Strange Days at Blake Holsey High" and utilizing the Auchmar Estate located at 88 Fennell Avenue West for a period of time commencing March 17, 2003, and completing October 31, 2003, for a total rental revenue of $140,000.;

(b) That the terms and conditions of this agreement be in a form acceptable to the City Solicitor;

(c) That utilization of the Auchmar Estate be subject to the terms and conditions of the Ontario Heritage Foundation Easement and any alterations to the property be subject to the prior approval of the City. CARRIED.

16. Connect Hamilton - Create Community Project (FCS03057) (City Wide) (Item 5.1)

WHEREAS, various community organizations have been working together to develop a proposal to the Province of Ontario for funding as part of the Connect Ontario Program, and

WHEREAS, a Business Plan has been prepared for the "Connect Hamilton – Create Community" Project which details the project's scope and deliverables to meet Connect Ontario Program requirements, and

WHEREAS, numerous letters of support for this project have been received from various organizations, community groups and academic institutions in the City including the Hamilton Chamber of Commerce, McMaster University, Mohawk College, FibreWired, Industry Education Council, Hamilton Public Library, and Intermedium, and

WHEREAS, The City of Hamilton has been a keen supporter and lead partner in the development of the Business Plan for the project, and

WHEREAS, capital funds have been provided to match contributions from the Province, and

WHEREAS, in-kind contributions of staff time are provided in the operating budget as well as the e-government program of the City.

THEREFORE, be it resolved that the Council of the City of Hamilton endorses and supports the application for the Connect Hamilton – Create-Community project for funding by the Province on Ontario,

AND BE IT FURTHER RESOLVED THAT the Council of the City of Hamilton, together with the community partners identified in the Business Plan will provide financial and in-kind contributions to the Connect Hamilton – Create Community Project in accordance with the Business Plan. CARRIED.

17. Land Application of Biosolids/Nutrient Management Act (TOE03035) (City Wide) (Item 5.2)

That the Acting General Manager of Transportation, Operations, and Environment be directed and authorized to:

(a) Undertake a Biosolids Management Master Plan that will review all available technologies and solicit public input for future recommendations on how the City should manage its biosolids program;

(b) Consider potential synergies that may exist with the options being considered by the Long-term Solid Waste Master Plan including co-composting or generating energy-from-waste;

(c) Report back to Council with the results and recommendations of the Biosolids Management Master Plan.

(d) That the following motion be referred to the Public Health Department for a report back to Committee of the Whole:

"That the Health Department be directed to be involved in the Land Application and Biosolids/Nutrient project for the provision of analysis where required."

(e) That the Rural Affairs and Agriculture Advisory Committee be kept apprised of this project. CARRIED.

18. Proposed Playfield Sub-Committee (CS03009) (City Wide) (Item 7.1)

(a) That Council form a Playfield Sub-Committee to review rates and fees respecting all outdoor fields rented by minor and adult sports groups in the City of Hamilton;

(b) That the Council members currently serving on the Soccer Sub-Committee be approached to serve on this Sub-Committee to maintain the consistency in the process used to develop the soccer rates and allocation process;

(c) That any other members of Council, who may have an interest in outdoor playfields be invited to join the Sub-Committee.

Note: Councillor Ferguson to be added to membership. CARRIED.

19. Declaration of Surplus Property; By-law to Stop-up, Close and Sell; Offer to Purchase - Public Walkway between 166 & 170 St. Andrews Drive, Hamilton (CS03013) (Ward 5) (Item 7.2)

(a) That the lands forming the public walkway composed of Block Y, Glendale Estates No.2, Phase 5, Registered Plan M-64, in the City of Hamilton, more particularly described as Parts 1, 2 and 3 on Registered Reference Plan 62R-16298 be declared surplus to the requirements of the City of Hamilton in accordance with the Real Property By-law No. 95-049;

(b) That Corporate Buildings & Real Estate Division be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law No. 95-049;

(c) That the By-law to Stop-up, Close and Sell the subject portion of the walkway, described as Block Y, Glendale Estates No. 2, Phase 5, Registered Plan M-64, in the City of Hamilton, more particularly described as Parts 1, 2 and 3 on Registered Reference Plan 62R-16298, as approved by Corporate Counsel, Legal Services, be passed and enacted;

(d) That the Offer to Purchase (Highway Closure), duly executed by Kevin Ashley Rudd and Amy Agnes Rudd on January 8, 2003 and scheduled to close on before April 14, 2003, being composed of Block Y, Glendale Estates No. 2, Phase 5, Registered Plan M-64, in the City of Hamilton, more particularly described as Parts 1, 2 and 3 on Registered Reference Plan 62R-16298 for the purchase price of $1.00 be approved. The sale is conditional upon the City of Hamilton enacting a By-law to Stop-up, Close and Sell of the public walkway as described above;

(e) That it be understood and agreed that the Offer to Purchase (Highway Closure) be conditional on the following:

(i) the City of Hamilton enact a by-law to authorize the stop-up, closure and sale of the subject walkway and will comply with the procedures for that purpose as set out in the Municipal Act, R.S.O. 1990, c.M.45;

(f) That the Mayor and City Clerk be authorized and directed to execute the Offer to Purchase (Highway Closure) and all ancillary documents in a form satisfactory to Corporate Counsel;

(g) That the Mayor and City Clerk be authorized and directed to execute and issue a Certificate of Compliance in a form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:

(i) satisfactory Notice has been given pursuant to Section 300 of the Municipal Act. Notice of the intended sale was given through advertisement in the Hamilton Spectator on December 14, 21 and 28, 2001 and January 4, 2002;

(ii) the sale of the subject walkway falls within a class of properties that do not require an appraisal under subsection 193(4) of the Municipal Act. CARRIED.

20. Development Charges Study (FCS03051) (City Wide) (Item 10.1)

a) That a new Development Charges Study be initiated to support a new consolidated City of Hamilton Development Charges By-law, in accordance with the Provincial Development Charges Act, (1997).

b) That the attached terms of reference for a development charge study (Appendix 1) be approved.

c) That the cost of the Development Charges Study, to an upset limit of $500,000, be 90% funded from the following development charges reserves:

- Regional Growth Management -Residential (110160) - $260,000
- Regional Growth Management – Non residential (110165) - $90,000
- Hamilton Growth Management (102055) - $15,000
- Ancaster Administration (113044) - $25,000
- Dundas Administration (114001) - $10,000
- Flamborough General Government (115340) - $15,000
- Glanbrook General Government (116038) - $10,000
- Stoney Creek Administration (117031) - $25,000

And 10% funded from the General Tax Capital Reserve (108020) - $50,000

d) That staff be authorized to proceed with issuing a Request for Proposal (RFP) for a Development Charges Study.

e) That a Development Coordinating Committee (DCC) comprised of the following members be established:

- Corporate Services – 3 representatives
- Planning & Development – 2 representatives
- Legal - 1 representative
- Economic Development – 1 representative
- Public Health & Community Services – 1 representative
- Public Works – 2 representatives
- Consultant Team – 1 representative

f) That a Development Charge Stakeholders Committee be established comprised of the following members:

- City staff – 3 representatives
- Hamilton Homebuilders - 1 representative
- Non-residential developer – 1 representative
- Chamber of Commerce - 1 representative
- Non-developer community groups – 2 representatives
- City Council – 4 representatives (Councillors Collins, D'Amico and McCarthy, Mitchell)

CARRIED AS AMENDED

Note: Membership of Councillors was amended from 2 to 4.

21. Municipal Elections Act Amendments (FCS03038) (City Wide) (Item 10.2)

That Report FCS03038 "Municipal Elections Act Amendments" respecting recent amendments to the Municipal Elections Act, 1996, as amended, be received for information. CARRIED.

22. Extend Local Calling (FCS03054) (City Wide) (Item 10.3)

(a) That the City of Hamilton request Bell Canada to prepare the economic analysis required by the CRTC to determine the costs of expanding the local calling area to ensure that the maximum number of residents of the City of Hamilton can call other exchanges in the City of Hamilton toll free while maintaining a resulting rate increase of $1.00 per line per month or less;

(b) That Bell Canada be requested to report back to the City of Hamilton and to the Expand Local Calling Task Force in 3 months on the progress that has been achieved;

(c) That, upon the completion of the economic analysis, the information be provided to the City of Hamilton and the Extend Local Calling Task Force;

(d) That this report be forwarded to the Regional Municipalities of Niagara, Halton and Waterloo, the County of Brant, the Town of Haldimand, City of Burlington, County of Wellington, Township of Puslinch and Township of North Dumfries, for their information, and that they be invited to provide comments and/or concerns

CARRIED.

23. "Standard and Poor's 2003 Credit Rating" (FCS03048) (City Wide) (Item 10.4)

That Report FCS03048 "Standard and Poor's 2003 Credit Rating" be received for information. CARRIED.

24. Contractual Enforcement Services for 2002 - 2003 (FCS03027) (City Wide) (Item 10.5)

That the Manager of Parking and Enforcement Operations be authorized and directed to execute an agreement with the Canadian Corps of Commissionaries (Hamilton) and all ancillary documents thereto in a form satisfactory to Corporate Counsel for the provision of enforcement services for 2003 through 2006, with 2007 as an option year at the City's discretion attached hereto as Appendix "A" to report No. FCS03027.

CARRIED.

25. Advance Community Partnership Program Payments (Item 10.6)

That staff be authorized to continue to provide advance monthly payments to 2003 Community Partnership Program applicants as per Table One, based upon 2002 Community Partnership Program funding levels, commencing with a payment for the first quarter of 2003 (January to March). CARRIED.

26. Our Downtowns and BIAs - 2002 Annual Report and 2003 Downtown Renewal Division Work Plan (PD03042) (City Wide) (Item 12.1)

That Report PD03042 – "Our Downtowns and BIAs – 2002 Annual Report and 2003 Downtown Renewal Division Work Plan" be received for information and that the relevant contents be made available through appropriate municipally-generated publications. CARRIED.

27. Niagara Escarpment Plan Amendment No. 71 - Lands affected within the former Town of Flamborough (PD03041) (Ward 15) (Item 12.2)

That City Council direct staff of the Legal Services Division and the Planning and Development Department to attend the Environmental Review Tribunal Hearing(s), in respect to Niagara Escarpment Plan Amendment No. 71, to defend the City's position to designate the lands "Urban" in the Niagara Escarpment Plan for the lands in the south-east portion of Waterdown, as shown on the attached map marked as Appendix "B" to Report PD03041. CARRIED.

Councillors Braden, McCarthy, Horwath opposed.

28. Urban Transportation Showcase Program (TOE03034) (City Wide) (Item 14.1)

(a) That Council endorse pursuing the stage two Transport Canada application process for the "Greater Toronto Area Travel Demand Management (TDM) Program" as an Urban Showcase initiative;

(b) That Council direct staff to work with the other GTA partners in developing a proposal for submission to the federal government on a Hamilton and GTA-wide travel demand management (TDM) program;

(c) That any costs associated with this program for 2003 be earmarked from funds available in the proposed budget currently before Council for review and consideration;

(d) And further that if the Stage 2 proposal is successful that staff report back to Council for approval to allocate sufficient funds in subsequent budgets as determined by the final Program timeline.

(e) That staff be directed to report back to Committee of the Whole on the "Shifting Gears" plan, its implementation, outstanding issues, goals and also include in the report the implementation of bike racks on buses. CARRIED AS AMENDED.

Note: This item was amended by the addition of subsection (e)

29. Hamilton Street to Waterdown Wastewater Treatment Plan Sanitary Sewer Upgrade Class Environmental Assessment (EA), Schedule B (TOE03031) (Ward 15) (Item 14.2)

That the Acting General Manager, Transportation, Operations, and Environment Department, be authorized and directed to file the Schedule B Class Environmental Assessment Project File Report for the Hamilton Street to Waterdown Wastewater Treatment Plant Sanitary Sewer Upgrade with the Municipal Clerk for a thirty (60) day public review.

CARRIED.

30. Collection of Personal Information at Residential Care Facilities (FCS03020/PD03029/SPH03001) (Item 15.1)

(a) That Privacy Complaint Report No. MC-020017-1, respecting the collection of personal information at residential care facilities in the City of Hamilton, issued by the Information and Privacy Commissioner of Ontario on December 19, 2002, attached hereto and marked as Appendix "A", be received;

(b) That, Schedule 20 of the City of Hamilton Licensing Code (By-law No. 01-156) be amended to require operators of licensed residential care facilities to:

(i) permanently post in a highly visible location a written notice, for public inspection, containing the following: (1) the legal authority for the collection of personal information by the City's inspectors, (2) the principal purpose or purposes for which the personal information is intended to be used, and (3) the title, business address and business telephone number of a City representative who can respond to questions of the individual to whom the information relates, about the collection; and,

(ii) deliver to all of its current tenants and employees, a letter explaining the collection process and providing them with notice containing the information specified in recommendation (b)(i) above;

(iii) provide new tenants when they are admitted to the facility, and to new employees when they commence employment, a one-time written notice containing the information specified in recommendation (b)(i) above;

(iv) maintain a file for each tenant for the retention of documents listed in subsections 54(1) and (2), and in subsections 55(1) and (2) of Schedule 20 of the City of Hamilton Licensing Code which is separate from any other file containing other records, reports, or documents of any kind which are required to be maintained by an operator under Schedule 20.

(c) That the Director of Legal Services and Corporate Counsel be authorized and directed to prepare a by-law to amend By-law 01-156 to implement the requirements set out in recommendation (b) above, and that the proposed amending by-law be submitted to the Hearings Sub-Committee for consideration at a public meeting in keeping with the requirements of subsection 150(4) of the Municipal Act, 2001;

(d) That the Mayor be authorized to request the Chair of the Management Board of Cabinet, pursuant to section 29(3)(b) of Municipal Freedom of Information and Protection of Privacy Act, to waive any requirements for giving notice to tenants and employees of residential care facilities on each occasion when their personal information is collected by City inspectors, as recommended by the

Information and Privacy Commissioner/Ontario in Privacy Complaint Report No. MC-020017-1 dated December 19, 2002; and,

(e) That the City's Co-ordinator of Elections and Freedom of Information be directed to provide the following to the Information and Privacy Commissioner/Ontario as recommended in the IPC Report MC-020017-1 by March 19, 2003:

(i) a copy of the notices and letters described in (b)(i)(ii) and (iii) above;

(ii) a copy of the by-law amending the City of Hamilton Licensing Code, as referenced in (c) above;

(iii) a copy of the letter to the Chair of the Management Board of Cabinet as referenced in (d) above; and,

(iv) confirmation that Staff has reviewed the types of information listed in Section 54(2) of Schedule 20 of By-law 01-156 to ensure that all of the personal information contained in both tenant and staff files is required by that Section in order for the purpose of the By-law to be realized. CARRIED.

31. Keys to the Home - A Housing Policy and Plan for Hamilton: Terms of Reference (PD03026/SPH03005) (City Wide) (Item 15.2)

(a) That the Terms of Reference for "Keys To The Home – A Housing Policy and Plan for Hamilton", attached as Appendix "A" to Report PD03026/SPH03005, be approved; and,

(b) That Housing Division staff report back to the Committee of the Whole with a draft Housing Policy and Plan by August 31st 2003. CARRIED.

32. CanAmera Foods – Pipe Bridge Encroachment Agreement (Affects Wards 2 and 3) (PW03008/FCS03068/ECO03005) (Item 15.3)

(a) That the encorachment Agreement between the city of Hamilton and CanAmera Foods, attached as Attachment A to Report PW03008/FCS03068/ECO03005 be approved;

(b) That the Mayor and the city clerk be authorized and directed to execute the Encroachment Agreement. CARRIED.

Councillors Horwath and Collins OPPOSED.

33. Audit Sub-Committee 03-001 (Item 16.1)

(a) 2001 Audit Management Letter (City Wide) (FCS03040) (Item 3)

That the 2001 Audit Management Letter as submitted by Grant Thornton LLP Chartered Accountants, and attached to Report FCS03040, be received. CARRIED.

(b) 2002 Year-End Audit Plan (FCS03041) (Item 4)

(i) That Grant Thornton LLP Chartered Accountants be appointed as External Auditors for the City of Hamilton for the second year of their five-year term;

(ii) That the 2002 Audit Fees in the amount of $144,150, plus applicable taxes, be approved;

(iii) That the audit fees be reviewed annually to reflect changes in the scope of the audit work;

(iv) That the 2002 Audit Plan report prepared by Grant Thornton LLP Chartered Accountants, as attached to Report FCS03041, be approved.

(c) Internal Audit Reports - 2002 (CM03003) (Item 5)

(i) That Audit Reports 2002-01 to 2002-06, 2002-08 and 2002-09, attached as Appendices “A” to “H” to Report CM03003, be approved;

(ii) That Report CM03003 respecting the 2002 Internal Audit Reports, be received.

(d) 2003 Internal Audit Workplan (CM03004) (Item 6)

(i) That the 2003 Internal Audit Work Plan, attached as Appendix “A” to Report CM03004, be approved;

(ii) That the Director of Audit Services report the results of completed audits to the Audit Sub-Committee on a quarterly basis.

34. HMRF/HWRF Pension Administration Sub-Committee

(a) **Hamilton-Wentworth Retirement Fund (HWRF) 2003 Pension Indexation (City Wide) (FCS03045)**

(i) That HWRF members be granted a 2.3% increase effective January 1, 2003 to match the inflationary increases granted to OMERS pensioners;

(ii) That the cost of $2,002,000 to provide the 2003 indexation for members be amortization over 5 years at an annual rate of $464,400 as per Appendix A to Report FCS03045;

(iii) That the annual amortization payments be funded from the Committed Pension Deficiency Reserve for the year 2003.

(b) **Status of the Funded Position of the Hamilton-Wentworth Retirement Fund (HWRF) Plan (City Wide) (FCS03046)**

That Report FCS03046 "Status of the Funded Position of the Hamilton-Wentworth Retirement Fund (HWRF) Plan", be received for information.

(c) **Status of the Hamilton-Wentworth Retirement Fund (HWRF) Outstanding Issues (City Wide) (FCS03047)**

That Report FCS03047 "Status of Hamilton-Wentworth Retirement Fund (HWRF) Outstanding Issues", be received for information.

(d) **Hamilton Municipal Retirement Fund (HMRF) 2003 Pension Indexation (City Wide) (FCS03042)**

(i) That HMRF members be granted a 2.3% increase effective January 1, 2003 to match the inflationary increase granted to OMERS pensioners;

(ii) That the cost of $1,949,000 to provide the pension increase of 2.3% to HMRF members be funded from plan surplus.

(e) **Status of the Funded Position of the Hamilton Municipal Retirement Fund (HMRF) Plan (City Wide) (FCS03043)**

That Report FCS03043 "Status of the Funded Position of the Hamilton Municipal Retirement Fund (HMRF) Plan", be received for information.

(f) **Status of the Hamilton Municipal Retirement Fund (HMRF) Outstanding Issues (City Wide) (FCS03044)**

That Report FCS03044 "Status of the Hamilton Municipal Retirement Fund (HMRF) Outstanding Issues", be received for information. CARRIED.

35. Bennetto School – New Business

That a joint working group be established consisting of appropriate staff, two members of Council (Councillors Horwath and Ferguson) and representative(s) from the North Hamilton Community Health Care Centre to achieve an appropriate negotiation between the City of Hamilton and the North Hamilton Community Health Care Centre for the Community Health Care Centre's utilization of the Benetto School site, now owned by the City of Hamilton. CARRIED.

36. Licensing Code (Adult Entertainment Parlour) By-law amendment (LS03007) (City Wide) (Item 22.1)

(a) That Report LS03007 be received;

(b) That Adult Entertainment Parlours be prohibited in the Downtown Community Improvement Area.

(c) That staff prepare the appropriate amending by-law. **CARRIED.**

FOR THE INFORMATION OF COUNCIL:

(a) DECLARATIONS OF INTEREST

None declared.

(b) ADOPTION OF MINUTES

The Minutes of February 18, 2003 were adopted as presented.

(c) DELEGATION REQUESTS

Delegation Requests 3.1, 3.3 and 3.4 were approved for referral to the Hearings Sub-Committee:

Delegation Request 3.3 was tabled for thirty days pending ongoing discussions.

3.1 Request to address the Hearings Sub-Committee by Brian Decker respecting Hamilton Tennis Club/International Tennis Federation Futures Tournament

3.2 Request from John Dolbec, Hamilton Chamber of Commerce respecting Bus service - Hamilton airport

3.3 Request to address Hearings Sub-Committee from Randy Kay,Transportation for Liveable Communities, respecting cycling budget

3.4 Request to address Hearings Sub-Committee Ahmad Saidullah respecting proposal for the creation of an internship program

(d) TABLED ITEMS:

The following items were tabled for two weeks:

(i) Redevelopment and Operation of Wentworth Lodge (SPH02020(b)) (Item 22.2)

(ii) Verbal report – World Education College

(e) Private and Confidential Items

Committee moved In Camera to deliberate legal issues affecting the Licensing Code (Adult Entertainment Parlour) By-law amendment

Councillor Collins requested the City Manager to ensure that the by-laws are enforced in regards to the other adult entertainment parlours within the city.

(f) Urban Transportation Showcase Program (TOE03034) (City Wide)

Councillor Mccarthy will bring a notice of motion respecting pooling

The meeting adjourned at 4:00 p.m.

Respectfully submitted,

Robert Wade
Mayor

K. Christenson, City Clerk
R. Caterini, Deputy Clerk
M. Gallagher, Co-ordinator

AFFECTS
WARD 2

CITY OF HAMILTON

4.1

PLANNING AND DEVELOPMENT DEPARTMENT
Building and Licensing Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date: **File:**	February 28, 2003 03 198881	**Prepared by:**	Frank Peter (905) 546-2781

SUBJECT: Demolition Permit – 49 Mulberry Street (PD03056) (Ward 2)

RECOMMENDATION:

That the Director of Building and Licensing be authorized and directed to issue a demolition permit for the building located at 49 Mulberry Street, in accordance with Demolition Control By-Law 74-209 pursuant to the demolition control provisions of Section 33 of The Planning Act, as amended, subject to the following conditions:

(a) the applicant has applied for and received a building permit for a replacement building on this property; and,

(b) the said building permit specifies that the replacement building be erected within two years of the demolition of the existing building on this property; and,

(c) the said building permit for the replacement building specified if such replacement building is not erected within the said two year time limit, that the City be paid the sum of $20,000; and, the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions (including the directions to the City Clerk outlined in sub-section (d)) in a form satisfactory to the Director of Building and Licensing and to the Director of Legal Services and Corporate Counsel; and,

(d) if the said replacement building is not erected as required, the City Clerk be authorized to add the said sum which shall remain a lien upon the property until paid.

LeeAnn Coveyduck

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

The owner is proposing to demolish the existing single family dwelling and replace the dwelling with a new single family dwelling. This property is subject to the demolition control provisions of The Planning Act, as amended, and therefore, a building permit is required to replace the dwelling prior to approval of a demolition permit. A building permit application has been submitted to this department for the replacement dwelling and is currently under review.

BACKGROUND:

PRESENT ZONING:	D (Map W-3)
PRESENT USE:	Single Family Dwelling
PROPOSED USE:	Single Family Dwelling
BRIEF DESCRIPTION:	The owner is seeking approval to demolish the existing single family dwelling and construct a new single family dwelling. These lands are subject to demolition control in the Central Area and a building permit application to replace the dwelling has been submitted. These lands are in the Central neighbourhood and are located in Ward 2. Please see attached location map shown as Attachment A to Report PD03056.

No LACAC interest. Lot size 9.42m x 323.75m

The owner of the property, as per the demolition permit application, is:

Flamboro General Homes
243 4th Concession Road West
Waterdown, ON L0R 2H2

ANALYSIS OF ALTERNATIVES:

N/A

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – N/A

Staffing – N/A

Legal – N/A

POLICIES AFFECTING PROPOSAL:

City Council passed a resolution on July 26, 1994 regarding demolition control in the Central Area which states: "That appropriate conditions for Demolition Control under Section 33 of The Planning Act be applied to all buildings with residential component in the Central Area bounded by Victoria Avenue, the Escarpment, Queen Street and the Harbour." As a result of this resolution, a demolition permit for building with a residential component cannot be issued until one of the following two conditions have been met:

1. a building permit has been issued for the subject site and an agreement has been registered on title for reconstruction within a specific time frame, or
2. a site plan has been approved for the proposed development.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

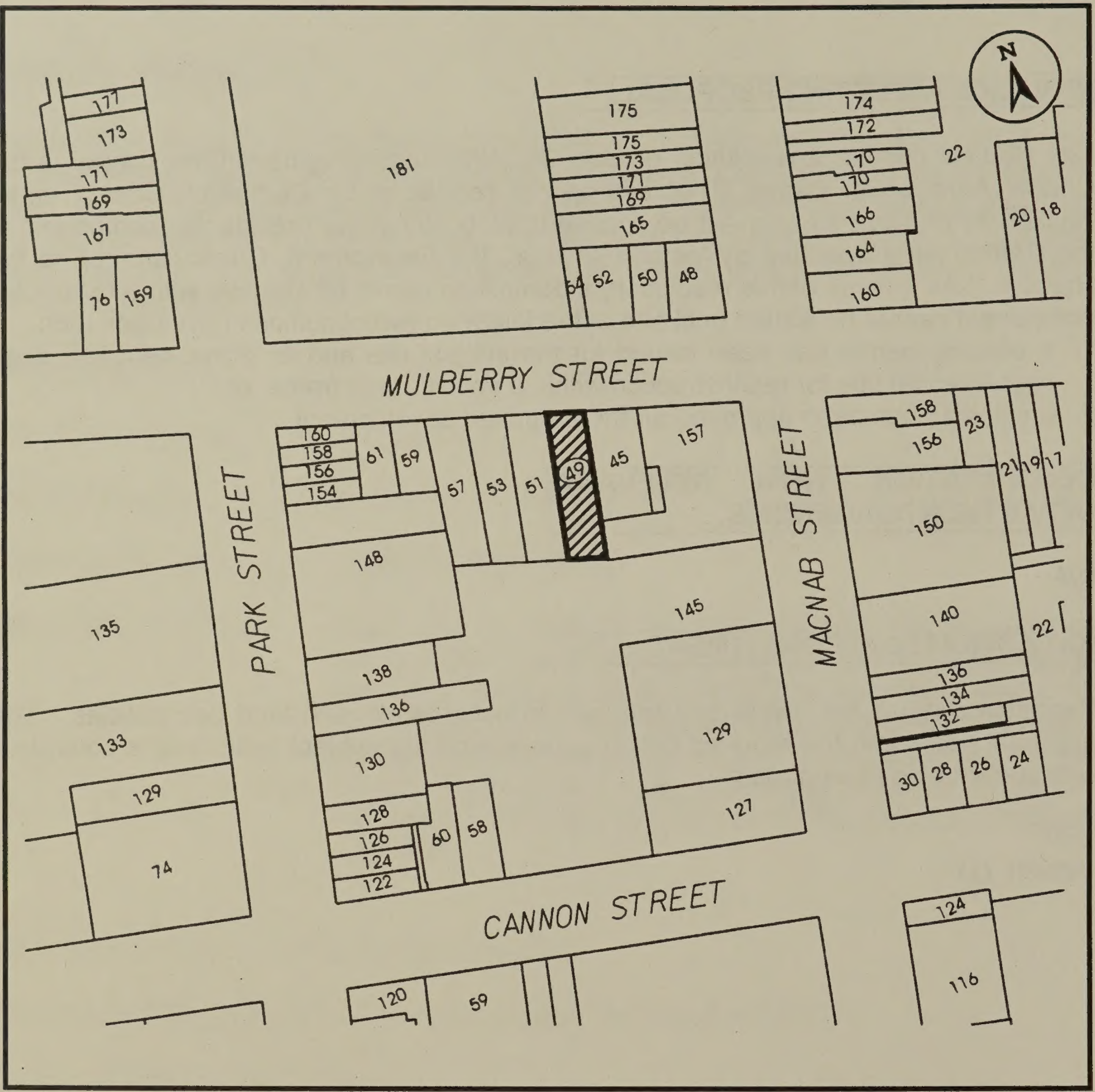
N/A

CITY STRATEGIC COMMITMENT:

Reconstruction of the dwelling is required in accordance with land use policies. The applicant has taken the required action to redevelop the subject lands and is consistent with current land use policies.

:FP
Attach. (1)

Attachment A to Report PD03056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MULBERRY STREET
PARK STREET
MACNAB STREET
CANNON STREET
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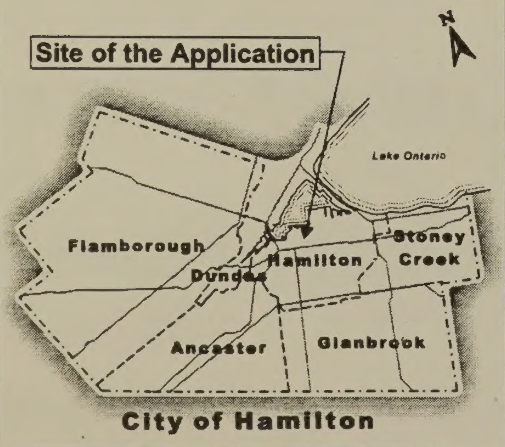

Site of the Application
N
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Hamilton

▨ **Subject Property**
49 Mulberry Street

For Demolition Recommendation

Filename/number
PD 03056

Date
February 25, 2003

Technician:
L.M.M.

Map Not to Scale

Appendix "A"

AFFECTS WARD 12

4.2

CITY OF HAMILTON

PLANNING AND DEVELOPMENT DEPARTMENT
Long Range Planning and Design Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date:	February 28, 2003	**Prepared by:**	Stephanie Barber (905) 643-1262 Ext. 220
File:	HP-2003-003		

SUBJECT: **Heritage Permit Application (2003-003) under Part IV of the Ontario Heritage Act to Permit the Addition of Decorative Exterior Fixtures to an Existing Building at 398 Wilson Street East, Former Town of Ancaster (PD03051) (Ward 12)**

RECOMMENDATION:

That Heritage Permit (HP-2003-003) be approved for decorative exterior fixtures in accordance with the illustrations attached as Appendix B to Report PD03051 accompanying the permit application, except for a proposed awning over the front entrance, and two black coach lanterns on the front elevation.

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

398 Wilson Street East was designated under Part IV of the Ontario Heritage Act in 1978. This two-storey stone building was constructed *circa* 1850 and is an example of Georgian architecture. The applicant proposes to add decorative exterior fixtures to the front and rear elevations of the building.

BACKGROUND:

398 Wilson Street East is designated under Part IV of the Ontario Heritage Act and as such, a Heritage Permit Application must be submitted for any proposed work that alters the exterior of the building or structure. The subject property is located in the Ancaster village core near the corner of Academy Street (see Location Map Appendix A). The subject building is a former dwelling designed in the Georgian style and was constructed *circa* 1850. The building has a side gable roof, rubble stone exterior walls, and symmetrical front façade with 5 rectangular windows and central front entrance with a transom above the door. The proposed new exterior fixtures will not result in significant adverse impacts to this heritage building. The Heritage Permit Review Subcommittee of LACAC has reviewed this application and has no objections to the proposed exterior fixtures, except for a proposed awning over the front entrance, and two black coach lanterns on the front elevation.

ANALYSIS OF ALTERNATIVES:

The building owner wishes to install a number of exterior fixtures comprised:

- black coach lanterns on the front and rear elevations;
- black louvered shutters on all windows on the front, north side and rear elevations;
- mailbox on the front elevation using existing anchors;
- black and white cedar-sandblasted sign to replace metal signs on the front façade using existing iron bracket;
- smaller cedar-sandblasted sign at rear door of building on iron bracket; and,
- French doors to replace the sliding doors on the rear elevation.

Critical factors in the evaluation of any change affecting a heritage building are "displacement effects" (those adverse actions that result in the damage, loss or removal of valued heritage features) and "disruption effects" (those actions that result in detrimental changes to the setting or character of a heritage feature). The proposed decorative exterior fixtures are considered to be reversible (i.e. capable of being removed yet leaving the building intact.

The applicants will use existing holes and brackets to install the fixtures, therefore they will not result in displacement effects to identified heritage features. The proposed fixtures do not permanently change the original appearance of the historical building and will not result in any major disruption effects.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – Not applicable.

Staffing – Not applicable.

Legal – 398 Wilson Street East is designated under Part IV of the Ontario Heritage Act.

POLICIES AFFECTING PROPOSAL:

Official Plan policies of the former Town of Ancaster support the conservation, protection and management of cultural heritage features. Approval of this heritage permit would not conflict with these policies.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

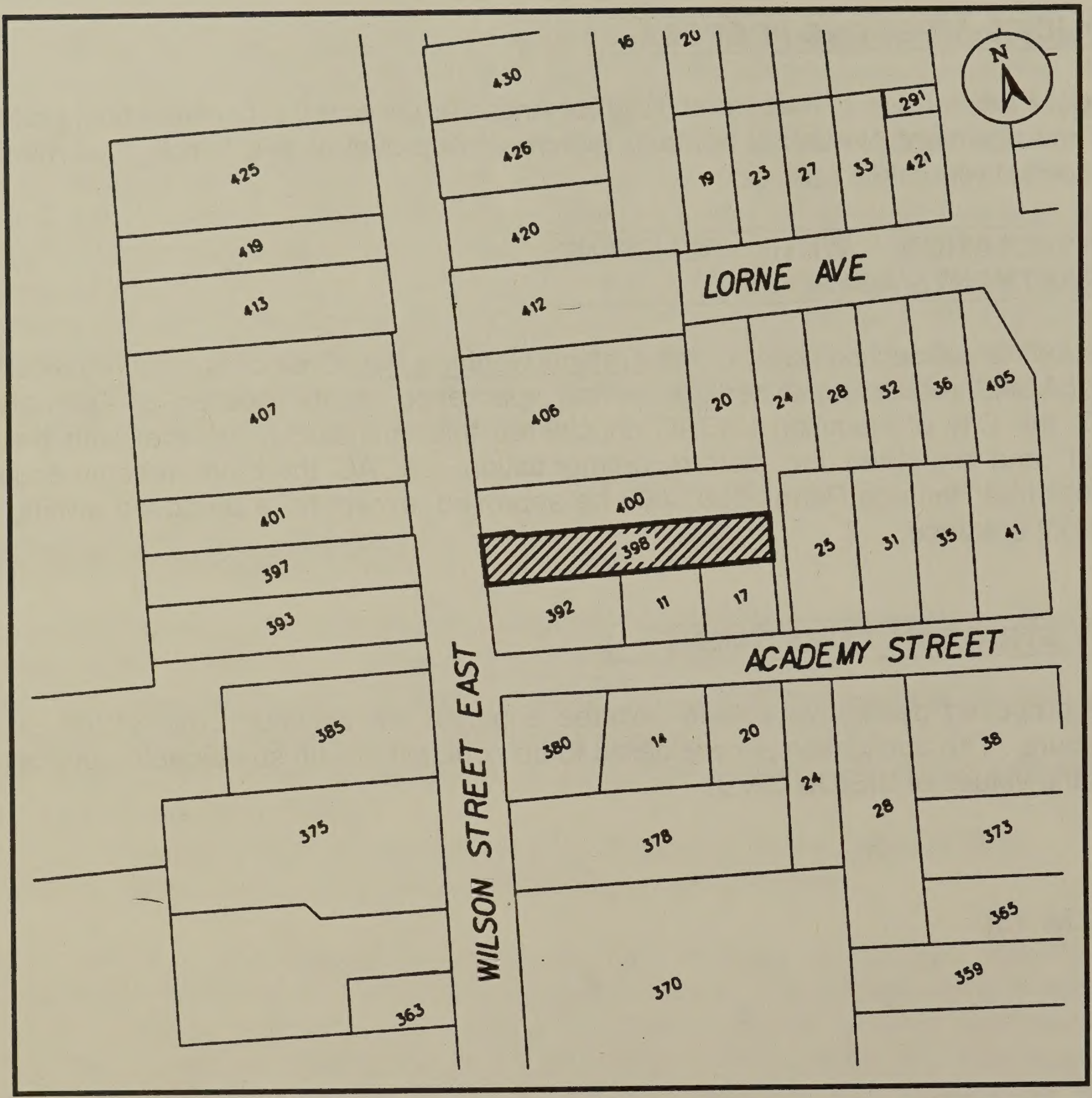
Pursuant to subsection 33(4) of the Ontario Heritage Act, Council is required to consult with LACAC respecting a heritage permit application. At its meeting of February 27, 2003, the City of Hamilton LACAC considered this application, together with the staff report, and endorsed the staff recommendation. LACAC therefore recommended to Council that Heritage Permit 2003-003 be approved, except for a proposed awning over the front entrance.

CITY STRATEGIC COMMITMENT:

The proposed decorative exterior fixtures enhance the continued use of the existing structure. The application is considered to be compatible with sustainable development and the values of VISION 2020.

:SB
Attachs. (3)

Appendix A to Report PD03051
Page 1 of 1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ACADEMY STREET
WILSON STREET EAST
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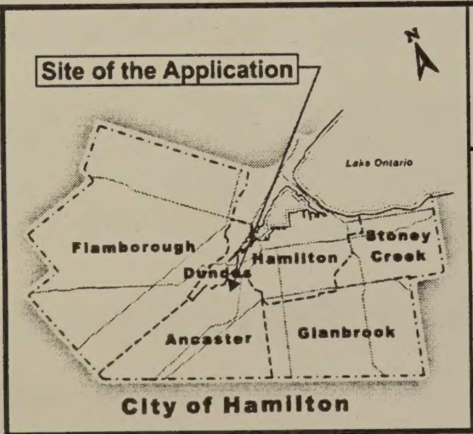

Site of the Application
N
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

▨ **Subject Property**
398 Wilson Street East

Hamilton

Filename/number
398 Wilson St E

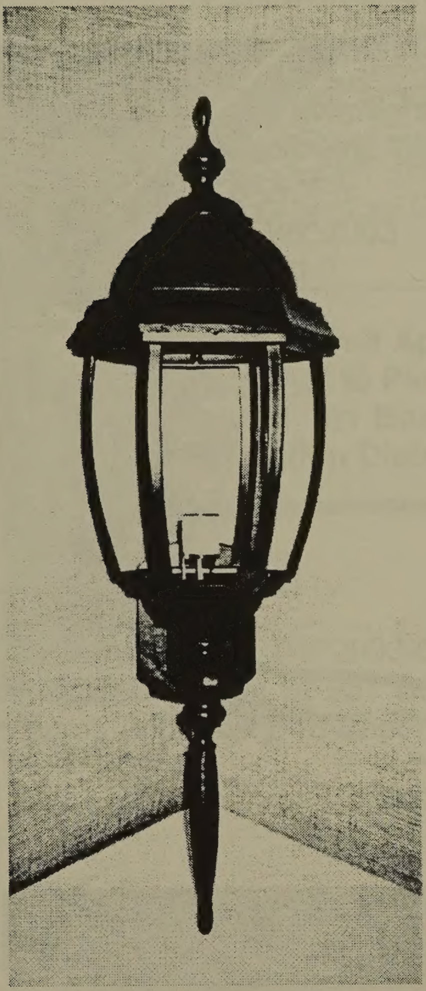
Date
February 12, 2003

Technician:
CL

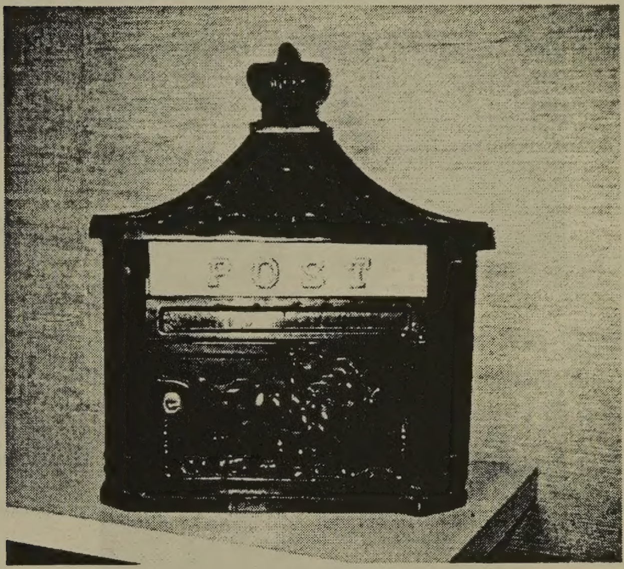
Map Not to Scale

Appendix "A"

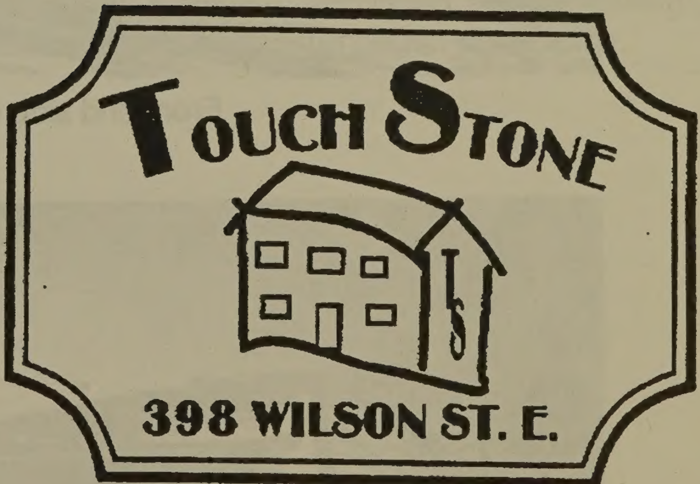
Appendix B to Report PD03051
Page 1 of 1



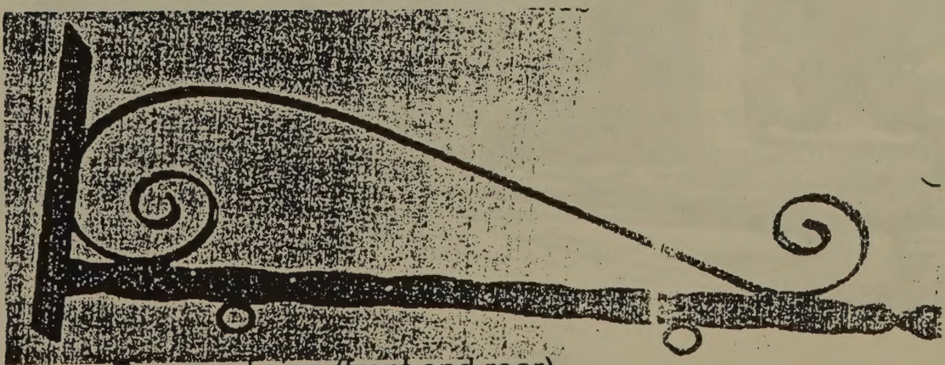
Proposed coach lamp



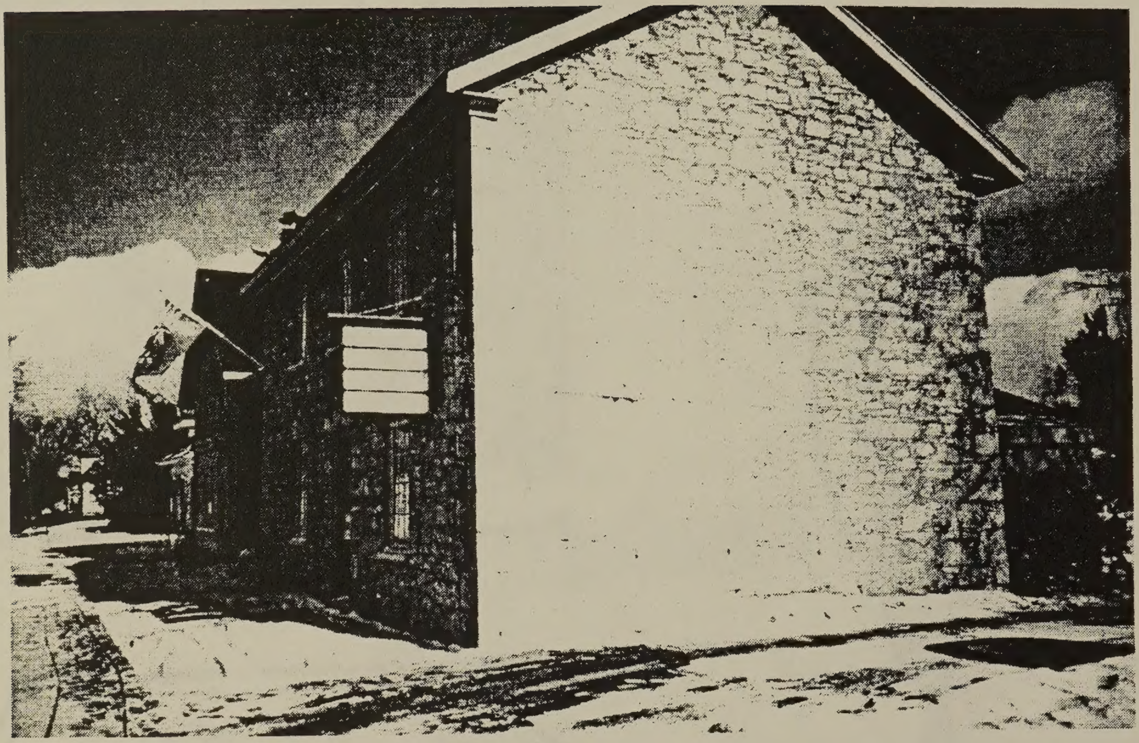
Proposed mailbox


TOUCH STONE
TS
398 WILSON ST. E.

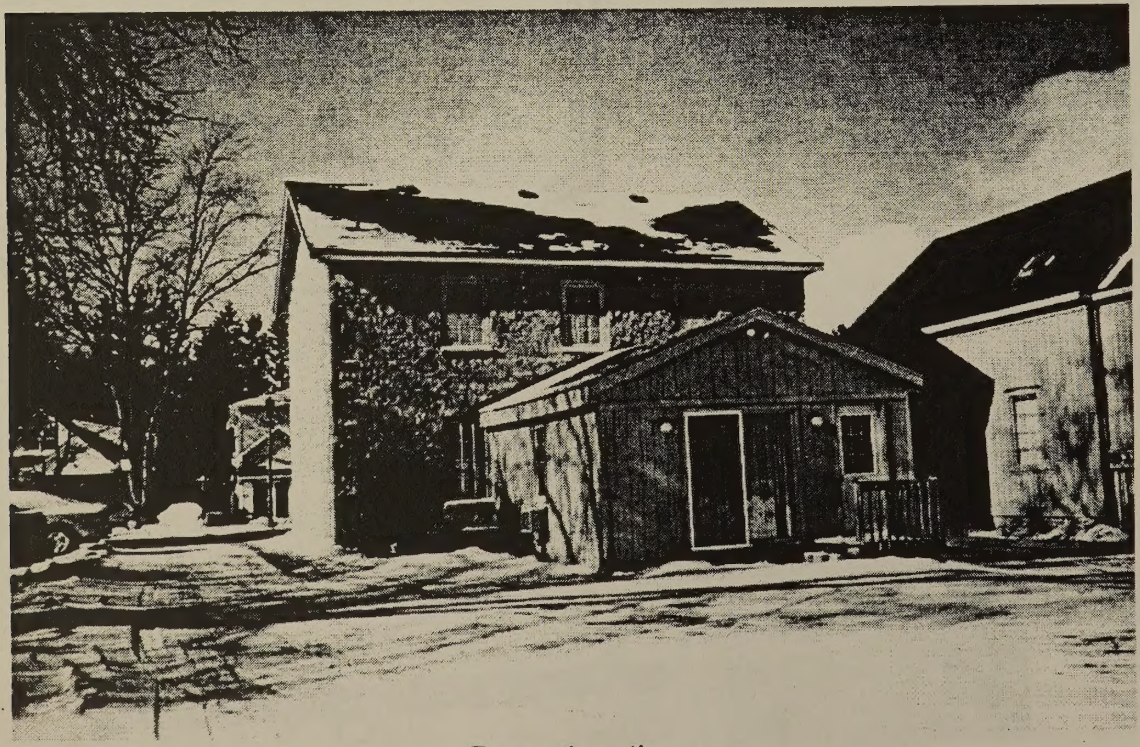
Proposed sign (front and rear)



Proposed sign (front and rear)



Front and side elevations



Rear elevation

AFFECTS
WARD 5

CITY OF HAMILTON

4.3

PLANNING AND DEVELOPMENT DEPARTMENT
Long Range Planning and Design Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date:	February 28, 2003	**Prepared by:**	Joseph Muller
File:	HP2003-001		(905) 643-1262 Ext. 214

SUBJECT: **Heritage Permit Application (HP2003-001) under Part V of the Ontario Heritage Act to Permit the Construction of a Detached Residence and Garage at 951 Beach Boulevard within the Hamilton Beach Heritage Conservation District, in the City of Hamilton (PD03050) (Ward 5)**

RECOMMENDATION:

That Heritage Permit (HP2003-001) be approved for the construction of a detached residence and garage at 951 Beach Boulevard, Hamilton, according to the drawings, attached as Appendix B to Report PD03050, accompanying the permit application.

Lee Ann Coveyduck

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

951 Beach Boulevard is currently a vacant lot located within the Hamilton Beach Heritage Conservation District (HCD) designated under Part V of the Ontario Heritage Act and a heritage permit is required for the construction of any building or structure. The applicant proposes the construction of a detached residence and garage. The subject application satisfies the intent of the applicable HCD guidelines adopted by the Council of the former City of Hamilton.

BACKGROUND:

The Hamilton Beach Heritage Conservation District (HCD) was designated by the former City of Hamilton and approved by the Ontario Municipal Board in 2001 under Section 41 of the Ontario Heritage Act. Under Section 42 of the Ontario Heritage Act a permit is required for the erection of any building or structure or for altering the external portions of any building or structure. Only the council of the municipality may issue such permits.

The subject property at 951 Beach Boulevard, see location map attached as Appendix A to Report PD03050, is a vacant lot and one of several City lots that have been recently sold. This subject application has been considered in the context of the HCD guidelines. The guidelines prepared for the Beach Boulevard HCD and approved by the former City of Hamilton provide advice on appropriate, compatible, new construction that has regard for height, width, setback, proportion and massing, roofs, materials, entrances, garages and ancillary structures

This permit application has been considered in the context of the district conservation guidelines and current heritage conservation planning practice. The proposed detached dwelling is a one-story structure, with triple front gable roof and attached garage located on the northern portion of the western face (see Appendix B). The front and side exterior walls of the house and garage are to be of stucco with brick veneer foundation in earth-tones, and the rear exterior wall is to be stucco and brick veneer. Trim will be synthetic materials in complementary colours, including balustrading, doors and windows. Windows are to be free of decorative synthetic muntins. Self-sealing asphalt shingles used on the roof will be black. The proposed materials and the location of the proposed dwelling are considered to be acceptable as they satisfy the intent of the district guidelines. The Heritage Permit Review Subcommittee (HPRS) of LACAC has reviewed this application and has no objections to the proposed residence.

ANALYSIS OF ALTERNATIVES:

The applicant has consulted with staff regarding the overall design and details of construction materials of the proposed dwelling. A number of alternatives in materials have been informally considered and discussed during pre-consultation prior to formal submission of the permit application. These changes in materials are acceptable to staff, the Heritage Permit Review Sub-committee, and the applicant.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – Not applicable.

Staffing – Not applicable.

Legal – This heritage permit application has been processed and considered within the context of the applicable legislation.

POLICIES AFFECTING PROPOSAL:

Subsection C.6-Heritage Resources of the former City of Hamilton's Official Plan provides for the management of the wealth of local heritage resources. The policies also provide for the designation of heritage conservation districts under Part V of the Ontario Heritage Act and for the preparation of criteria to regulate design. Alterations, additions and new construction within the Hamilton Beach HCD are guided by the Hamilton Beach Heritage Conservation District Guidelines. The subject permit application is considered to be in keeping with these guidelines.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

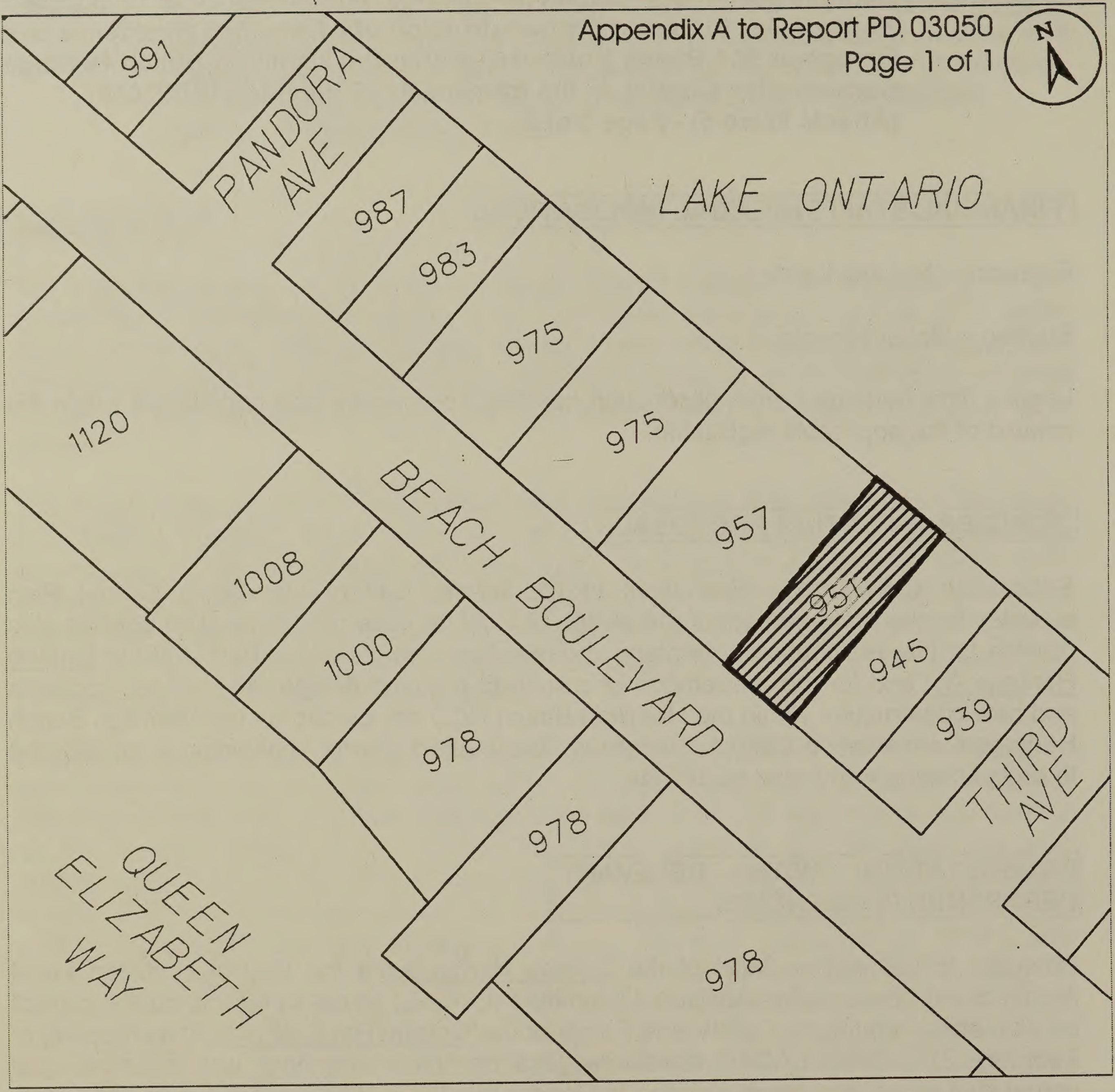
Pursuant to subsection 28(2) of the Ontario Heritage Act the City of Hamilton Local Architectural Conservation Advisory Committee (LACAC) advises and assists the council on all matters relating to Part IV and Part V of the Ontario Heritage Act. At its meeting of February 27th, 2003, LACAC considered this application together with a written and verbal staff report and recommended to Council that the subject application be approved.

CITY STRATEGIC COMMITMENT:

The application is considered to be compatible with sustainable development and the values of Vision 2020.

:JM
Attachs. (2)

Appendix A to Report PD. 03050
Page 1 of 1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THIRD AVE
BEACH BOULEVARD
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1008
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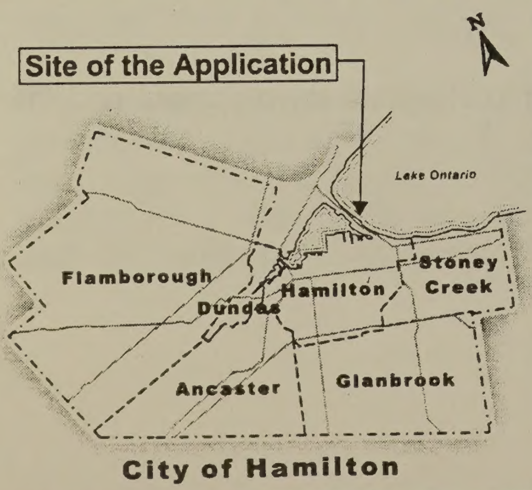
QUEEN ELIZABETH WAY


Site of the Application
N
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Hamilton

▨ **Subject Property**
951 Beach Boulevard

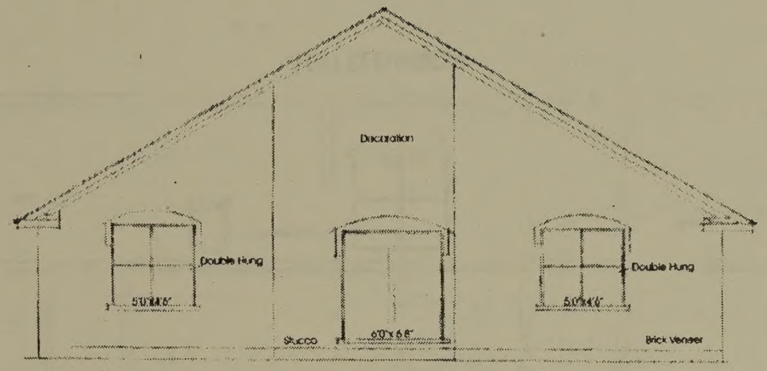
Filename/number
HP-2003-001

Date
January 31, 2003

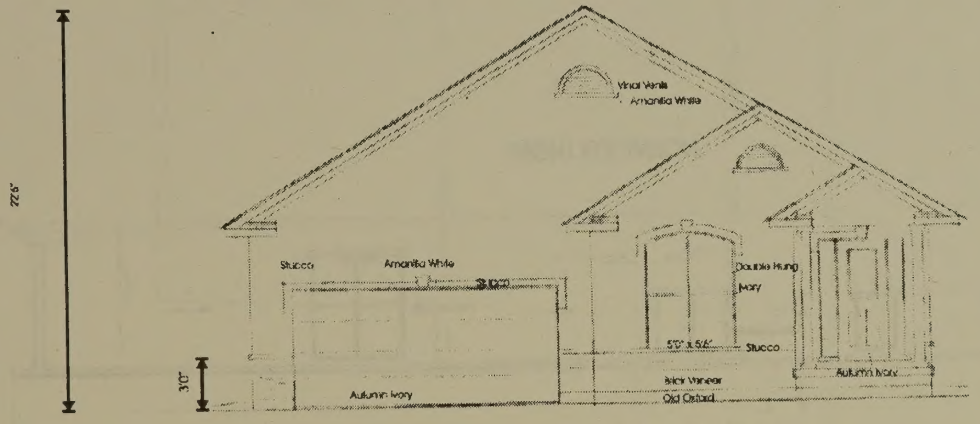
Technician:
MR

Map Not to Scale

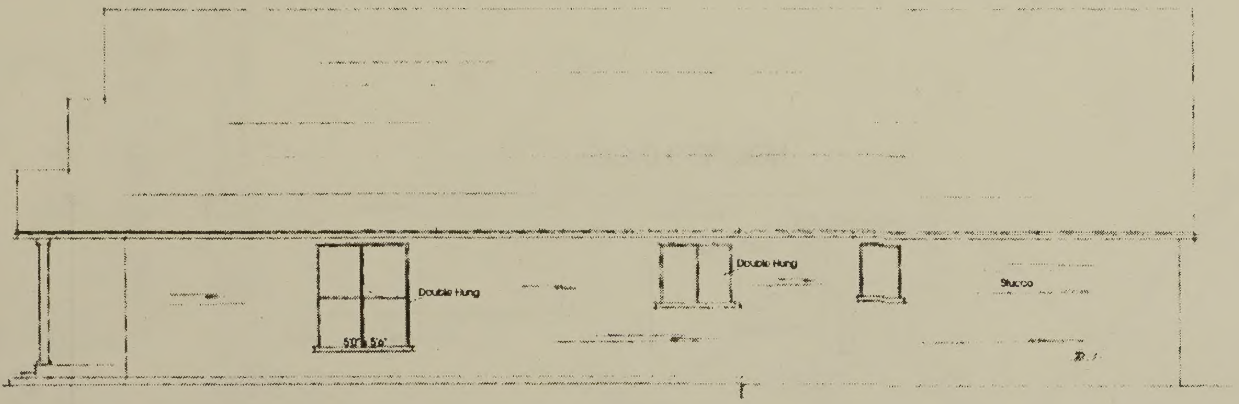
Appendix "A"


Decoration
Double Hung
5'0"x4'6"
6'0"x 6'8"
Stucco
Double Hung
5'0"x4'6"
Brick Veneer

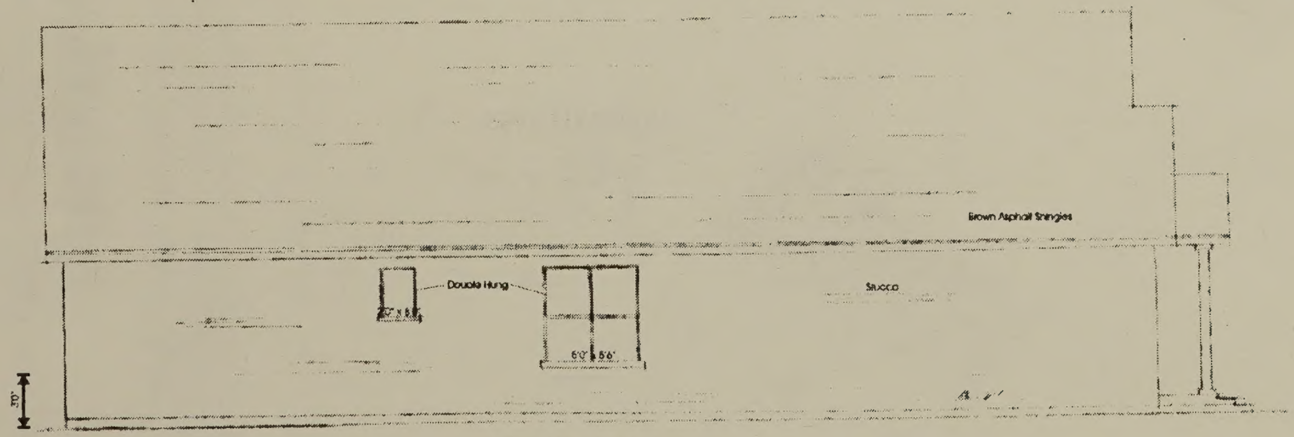
REAR ELEVATION


22'5"
3'0"
Vinal Vents
Amanita White
Stucco
Amanita White
Stucco
Double Hung
Ivory
5'0" x 5'6"
Stucco
Autumn Ivory
Brick Veneer
Old Oxford
Autumn Ivory

FRONT ELEVATION


Double Hung
5'0" x 5'6"
Double Hung
Stucco

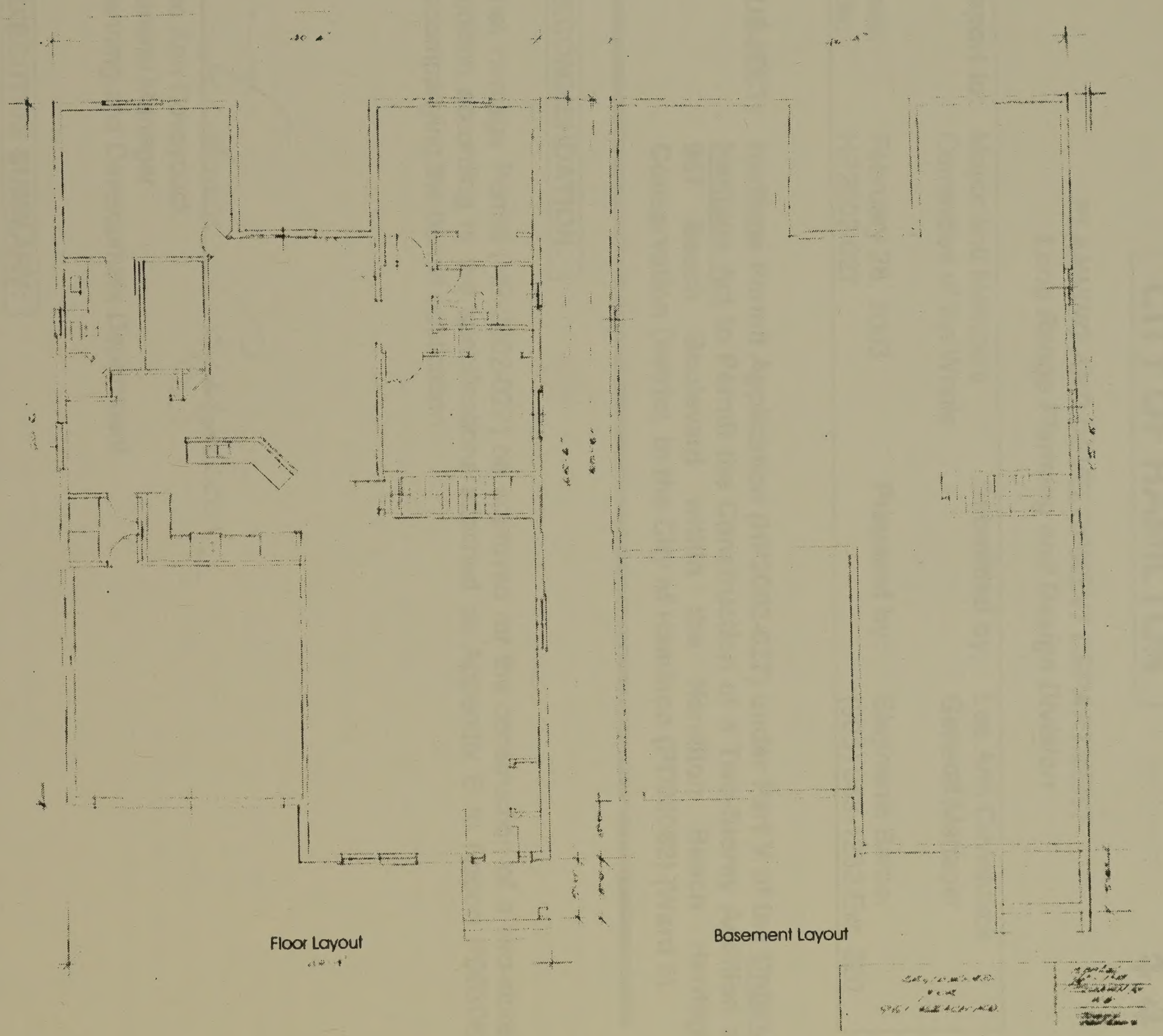
RIGHT ELEVATION


Brown Asphalt Shingles
Double Hung
6'0" x 5'6"
Stucco
3'0"

LEFT ELEVATION

RESIDENCE
FOR
951 [illegible]

SCALE
1/4" = 1'-0"
DATE
JAN 2003
DRAWN BY



Floor Layout

Basement Layout

AFFECTS WARD 5

CITY OF HAMILTON

4.4

PLANNING AND DEVELOPMENT DEPARTMENT

Long Range Planning and Design Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date: **File:**	February 28, 2003 HP2002-027	**Prepared by:**	Stephanie Barber (905) 643-1262 Ext. 220

SUBJECT: **Heritage Permit Application (HP2002-027) under Part V of the Ontario Heritage Act to Permit the Construction of a Two-Storey Addition at 967 Beach Boulevard within the Hamilton Beach Heritage Conservation District, in the City of Hamilton (PD03062) (Ward 5).**

RECOMMENDATION:

That Heritage Permit (HP-2002-027) be approved for the construction of a two-storey addition according to the specifications attached as Appendix B to Report PD03062 accompanying the permit application.

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

967 Beach Boulevard is located within the Hamilton Beach Heritage Conservation District (HCD) designated under Part V of the Ontario Heritage Act and a heritage permit is required for the construction of any building or structure. The applicant proposes to construct a two-storey addition to the existing dwelling. The subject application satisfies the intent of the applicable HCD guidelines adopted by the Council of the former City of Hamilton.

BACKGROUND:

The Hamilton Beach Heritage Conservation District (HCD) was designated by the former City of Hamilton and approved by the Ontario Municipal Board in 2001, under section 41 of the Ontario Heritage Act. Under Section 42 of the Ontario Heritage Act a permit is required for the erection of any building or structure or for altering the external portions of any building or structure. Only the council of the municipality may issue such permits.

The subject property at 967 Beach Boulevard (see location map Appendix A) contains an existing dwelling that was constructed *circa* 1900-10. It is a heritage building that has been substantially altered. In 1993, a full second storey was added and the front porch was rebuilt. The exterior was also reclad with vinyl siding. This subject application has been considered in the context of the HCD guidelines and current heritage conservation planning practice. The guidelines prepared for the Beach Boulevard HCD and approved by the former City of Hamilton provide advice for additions to heritage buildings including appropriate, compatible, designs that have regard for height, width, setback, proportion and massing, roofs, materials and entrances.

The proposed two-storey addition will be placed at the northwest corner of the existing dwelling and will have a front gable roof. The exterior walls of the house are to be of vinyl siding with trim to match that of the existing house. The attic storey is to be finished with decorative fishscale shingles with a small octagonal window. The gable peak is to be highlighted with a decorative sunburst moulding. The roof shingles will match those of the existing house. Doors and windows are to be executed in synthetic materials. There will be three windows with decorative surrounds at the second storey level and a set of French doors on the main floor. A secondary entrance is to be placed at the northeast corner and an antique oval window, similar to the one on the existing house, will be installed at the southeast corner. A front porch with a hipped roof supported by five square posts will span the front façade.

The proposed use of synthetic materials is considered to be undesirable, but in this specific case it can be supported as the materials will match those of the existing house. The location of the proposed addition is considered to be acceptable as it satisfies the intent of the district guidelines. The Heritage Permit Review Subcommittee (HPRS) of LACAC has reviewed this application and has no objections to the proposed addition but noted that the use of synthetic materials is generally undesirable.

ANALYSIS OF ALTERNATIVES:

The applicant has consulted with staff regarding the overall design and details of construction materials of the proposed dwelling. A number of alternatives in materials have been informally considered and discussed during pre-consultation prior to formal submission of the permit application. Acceptable changes to staff, HPRS and the applicant have included increasing the number of windows on the front façade from two to three.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – Not applicable.

Staffing – Not applicable.

Legal – This heritage permit application has been processed and considered within the context of the applicable legislation.

POLICIES AFFECTING PROPOSAL:

Subsection C.6-Heritage Resources of the former City of Hamilton's Official Plan provides for the management of the wealth of local heritage resources. The policies also provide for the designation of heritage conservation districts under Part V of the Ontario Heritage Act and for the preparation of criteria to regulate design. Alterations, additions and new construction within the Hamilton Beach HCD are guided by the Hamilton Beach Heritage Conservation District Guidelines. The subject permit application is considered to be in keeping with these guidelines.

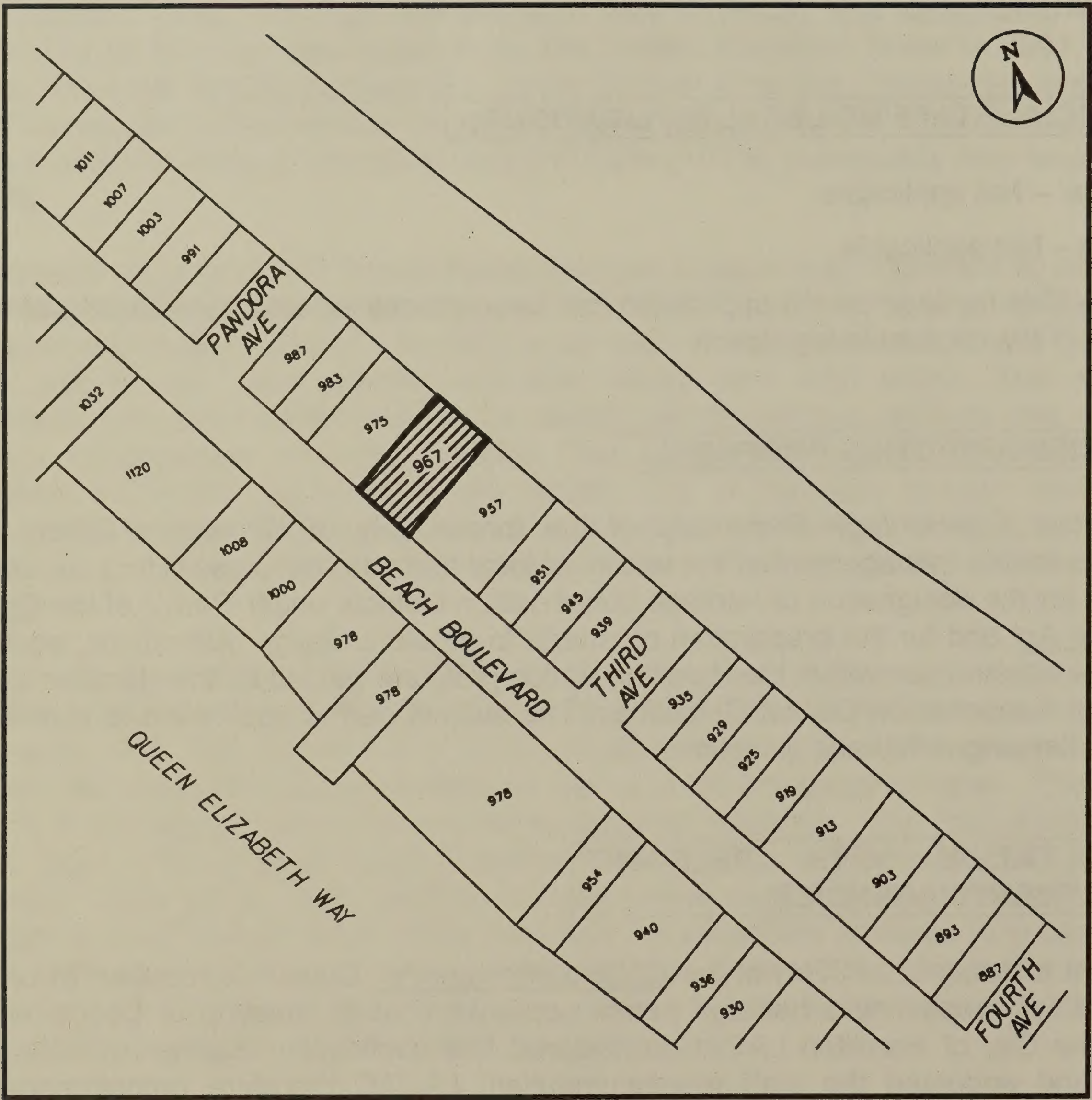
CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

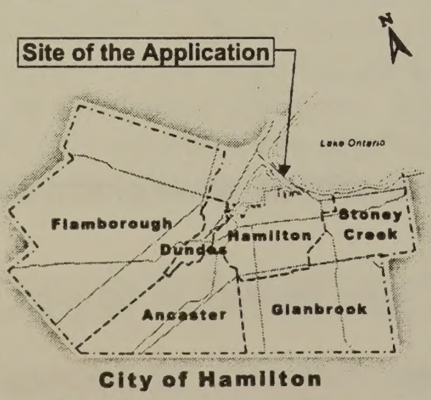
Pursuant to subsection 33(4) of the Ontario Heritage Act Council is required to consult with LACAC respecting a heritage permit application. At its meeting of December 19, 2002, the City of Hamilton LACAC considered this application together with the staff report and endorsed the staff recommendation. LACAC therefore recommended to Council that Heritage Permit 2002-027 be approved.

CITY STRATEGIC COMMITMENT:

The application is considered to be compatible with sustainable development and the values of Vision 2020.

:sb
Attachs. (2)


N
1011
1007
1003
991
PANDORA AVE
987
983
975
967
957
951
945
939
THIRD AVE
935
929
925
919
913
903
893
887
FOURTH AVE
1032
1120
1008
1000
978
978
978
954
940
936
930
BEACH BOULEVARD
QUEEN ELIZABETH WAY


N
Site of the Application
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

▨ **Subject Property**
967 Beach Boulevard

Hamilton

Filename/number
967 Beach Blvd.

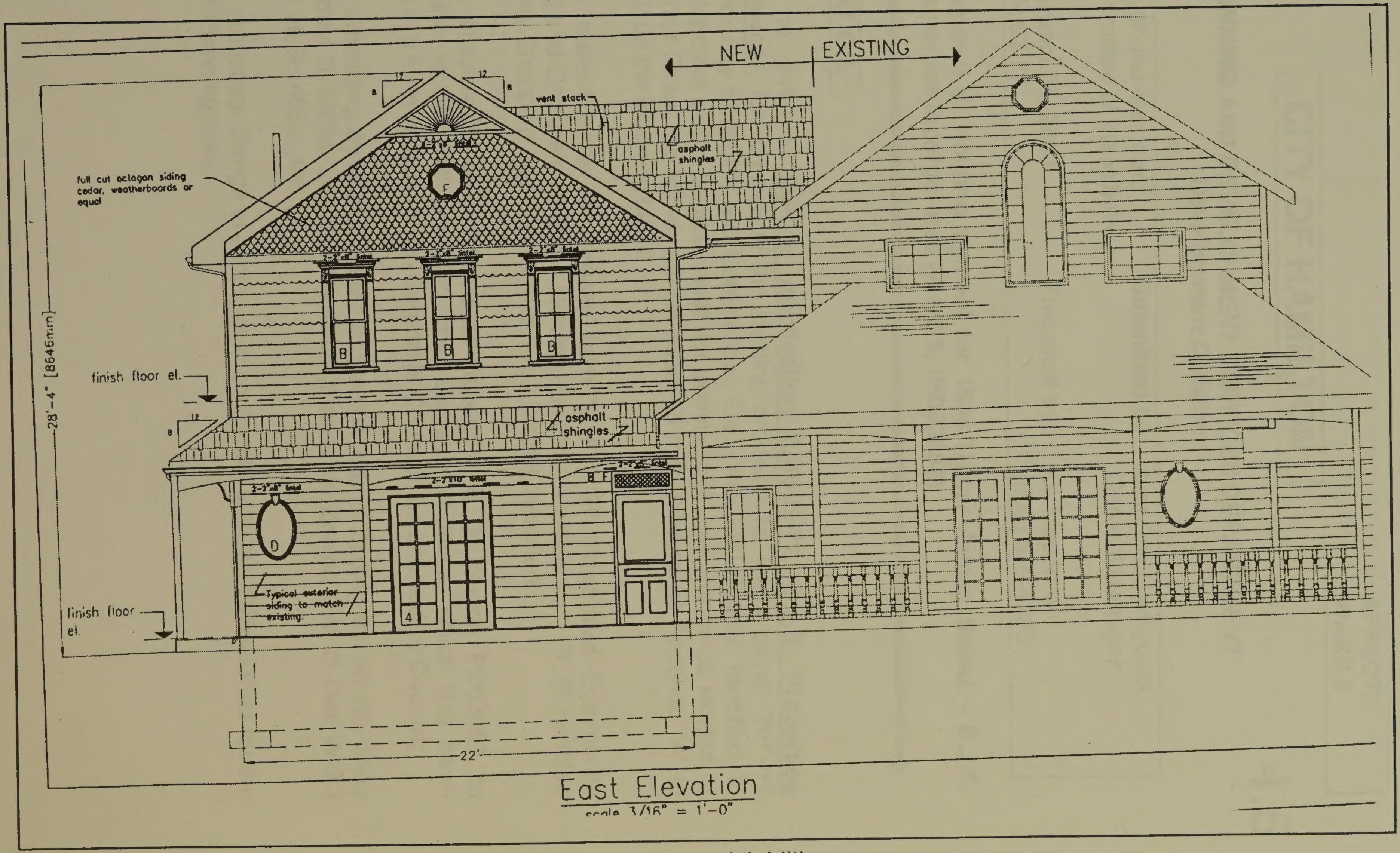
Date
November 29, 2002

Technician:
LC

Map Not to Scale

Appendix "A"

Appendix B to Report PD03062
Page 1 of 1


NEW
EXISTING
12
8
12
8
vent stack
asphalt shingles
full cut octagon siding cedar, weatherboards or equal
2-2"x6" lintel
F
2-2"x8" lintel
2-2"x8" lintel
2-2"x8" lintel
B
B
B
finish floor el.
28'-4" [8646mm]
12
8
asphalt shingles
2-2"x8" lintel
2-2"x10" lintel
2-2"x8" lintel
B
F
D
4
Typical exterior siding to match existing.
finish floor el.
22'
East Elevation
scale 3/16" = 1'-0"

Proposed Addition

AFFECTS WARD 8

CITY OF HAMILTON

4.5

PLANNING AND DEVELOPMENT SERVICES DEPARTMENT
Development Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date: **File:**	February 28, 2003 ZAR-02-77	**Prepared by:**	G. Macdonald (905) 546-4283

SUBJECT: Removal of Holding Symbol for 1588 Upper James Street – B.J.S. Properties Incorporated (Ward 8) (PD03053)

RECOMMENDATION:

That approval be given to **Zoning Application ZAR-02-77, B.J.S. Properties Incorporated, owner**, for removal of the Holding provision for lands zoned "HH"-'H' (Restricted Community Shopping and Commercial, Etc. - Holding) District, Modified, to permit the development of the subject lands for commercial uses, for lands located at 1588 Upper James Street, as shown on the attached map marked as Appendix "A" to Report PD03053, on the following basis:

(a) That the subject lands be rezoned from "HH" - 'H' (Restricted Community Shopping and Commercial, Etc. – Holding) District, modified, to "HH" (Restricted Community Shopping and Commercial, Etc.) District, modified;

(b) That the attached By-law, marked as Appendix "B" to Report PD03053, to remove the Holding 'H' provision from the subject lands, which has been prepared in a form satisfactory to Corporate Counsel, be enacted by Council;

(c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1465a, and that the subject lands on Zoning District Map W-9D be noted as S-1465a; and,

(d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

LeeAnn Coveyduck

Lee Ann Coveyduck
General Manager
Planning and Development Services Department

EXECUTIVE SUMMARY:

The applicant has applied for a Zoning By-law Amendment to remove the 'H' Holding provision, for lands located at 1588 Upper James Street, as shown on the attached map marked as Appendix "A".

City Council approved Zoning Application ZAC-02-08 at its meeting of April 10, 2002. The application was for a change in zoning from "C" (Urban Protected Residential, Etc.) District to "HH" (Restricted Community Shopping and Commercial, Etc.) District, to permit the development of the subject lands for commercial uses.

Under the provisions of By-law No. 02-188, the subject lands were placed in a Holding Zone, pursuant to the Holding provisions of Section 36(1) of the Planning Act. Removal of the Holding provision is conditional upon the applicant satisfying the following condition:

(1) The owner or applicant applying for, and receiving, final approval of a Site Plan Control Application, incorporating all appropriate site improvements, as identified in the Urban Design Guidelines for the Upper James Street Corridor (Mewburn Section), to the satisfaction of the Director of Development, Planning and Development Services Department.

The applicant received approval of Minor Site Plan Control Application MDA-02-149 on February 18, 2003. The applicants have entered into an Undertaking Agreement and have submitted the required securities for exterior works.

Based on the above, the zoning amendment application for the removal of the Holding symbol provision can be supported.

BACKGROUND:

Zoning Application ZAC-02-08

On April 10, 2002, Council approved Zoning Application ZAC-02-08, for a change in zoning from "C" (Urban Protected Residential, Etc.) District to "HH" (Restricted Community Shopping and Commercial, Etc.) District, Modified to permit commercial uses on the subject lands.

By-law 02-188 placed the subject lands in an 'H' – Holding zone, until the owner had applied for, and received, approval of a Site Plan Control application.

Minor Site Plan Control Application MDA-02-149

Minor Site Plan Control Application MDA-02-149, for site alterations and landscaping on the property located at 1588 Upper James Street, was approved on February 18, 2003. The application was to facilitate the conversion of the existing vacant bank building to a car and truck rental company. The applicants were exempted from entering into a formal Site Plan Agreement, but have entered into an Undertaking Agreement and have submitted the required securities for exterior works. The approved site plan includes an improved landscaped strip along Upper James Street, incorporating street tree plantings, the closure of the southern access from Upper James Street, and coniferous shrub plantings along the southern property line. The existing building is not being altered but the existing pylon sign is being replaced with a new pylon sign that fully conforms to the Zoning By-law. The applicants are also proposing to purchase a portion of the municipal road allowance to be merged with the subject property.

Details of Submitted Application

Owner/Applicant:	B.J.S. Properties Incorporated (c/o Mr. A. Fridson)
Description:	Proposed use of subject property for commercial uses (car and truck rental company). Landscaping and other site improvements have been provided in the approved Site Plan.

ANALYSIS OF ALTERNATIVES:

Should this application not be approved, the applicant will not be able to proceed with the use of the subject property for commercial uses (car and truck rental company) other than the existing use of the property as a legally established non-conforming bank.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial:	No implications on financial resulting.
Staffing:	No implications on staffing resulting.
Legal:	Council approval of a By-law Amendment to remove the Holding symbol is required under the Planning Act. A Public Hearing is not required, however, notice of the intent to pass the By-law must be given.

POLICIES AFFECTING PROPOSAL:

City of Hamilton Official Plan

The subject lands are designated “Commercial” on Schedule ‘A’ – Land Use Concept of the Official Plan and Special Policy Area 31 on Schedule ‘B’ – Special Policy Areas of the City of Hamilton Official Plan.

The proposal complies with the intent of the Commercial designation in the Official Plan and with the Extended Commercial category, in that general commercial uses would be permitted on the subject property. Special Policy Area 31 further identifies the property as a highway-oriented Commercial Area. Official Plan policies addressing parking, visual amenity, and access have been satisfactorily addressed through the approved Site Plan.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

- The Public Works Department (Traffic Engineering Section) had no comments or objections to the removal of the ‘H’ Holding Provision.

CITY STRATEGIC COMMITMENT:

The proposed change in zoning would not have any negative social, health, or environmental impacts. The proposal meets the goals of Vision 2020. The proposal includes improved landscaping and street tree plantings.

COMMENTS:

1. As part of the requirement for the removal of the ‘H’ Holding Provision, Minor Site Plan Control Application MDA-02-149 has incorporated, where applicable, the Urban Design Guidelines for the Upper James Street Corridor (Mewburn Section). These improvements include:

- A three (3) metre wide landscaped planting strip, with a mix of small shrubs and street trees along Upper James Street;

- A row of coniferous shrubs along the front of the southern property line; and,

- The closure of the southern access from Upper James Street to reduce the number of accesses from Upper James.

2. The applicant received approval of Minor Site Plan Control Application MDA-02-149 on February 18, 2003. The applicants have entered into an Undertaking Agreement and have submitted the required securities for exterior works. As the applicant has satisfied the Holding zone requirements of By-law No. 02-188, it is recommended that the 'H' (Holding) symbol be removed.

3. It is noted that the applicants have proposed to purchase a portion of the municipal road allowance at the south east corner of the subject property to be merged with the subject property. The subject property is irregular in shape and the purchase of a portion of the road allowance would serve to make the property rectangular in shape. This would increase the parking capacity of the property by enabling parking spots to be located perpendicular on to the front of the existing building. Without the road allowance purchase, only two (2) parking spots could be located facing the southern property line.

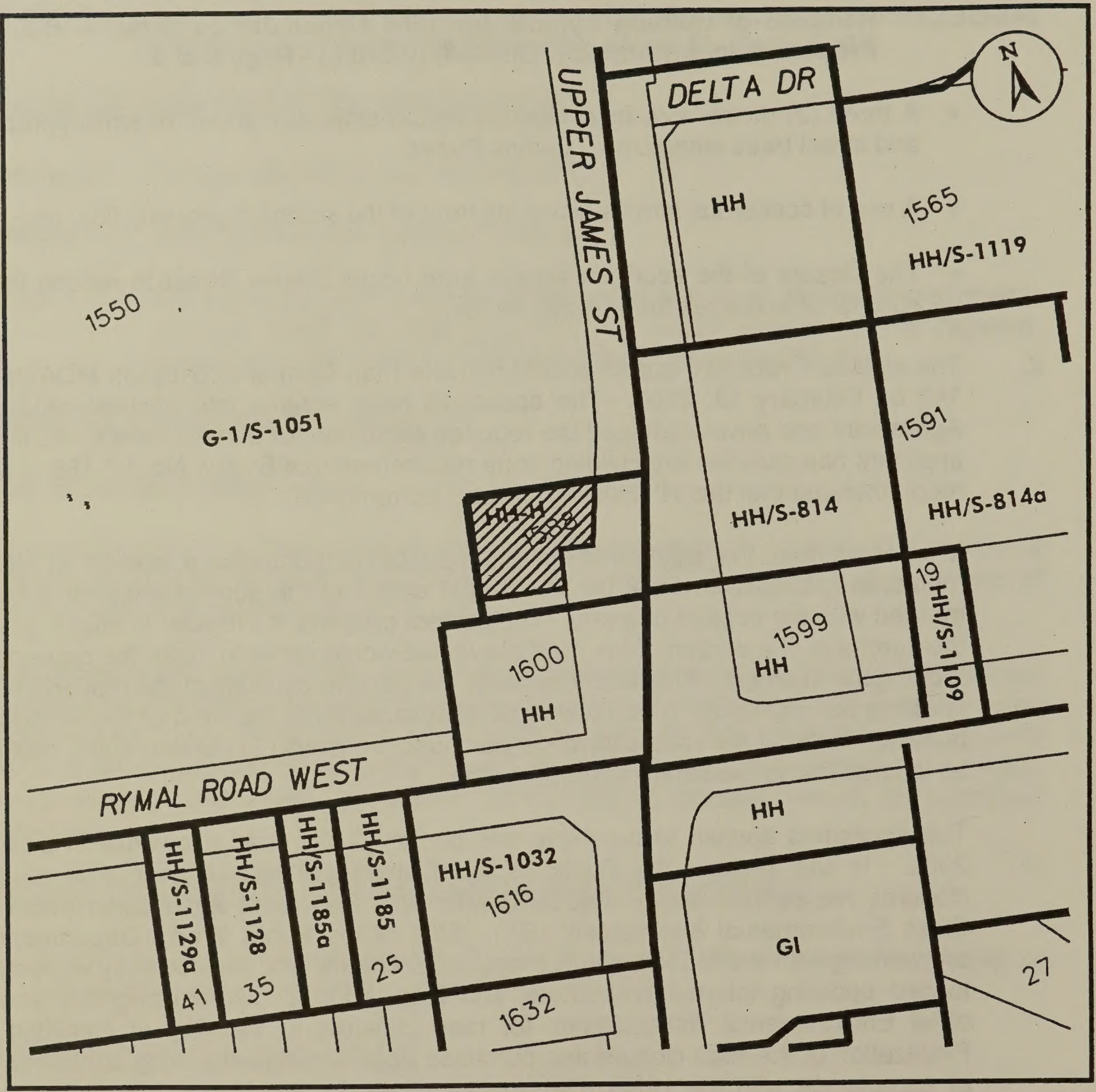
   The applicants applied to purchase this portion of the road allowance in July, 2002. In this regard, the Public Works Department has advised that road closures are subject to a Schedule B Municipal Engineers Association (MEA) Class Environmental Assessment (EA). Staff of the Public Works Department are working with the MEA to clarify these requirements and are currently working toward updating internal procedures and fees, prior to commencing this and other Environmental Assessments for road closures in the City of Hamilton. Finalization of the road closure and purchase does not impact zoning conformity or compliance with the Urban Design Guidelines for the Upper James Street Corridor (Mewburn Section). As such, it is not necessary to delay the removal of the Holding provision.

CONCLUSION:

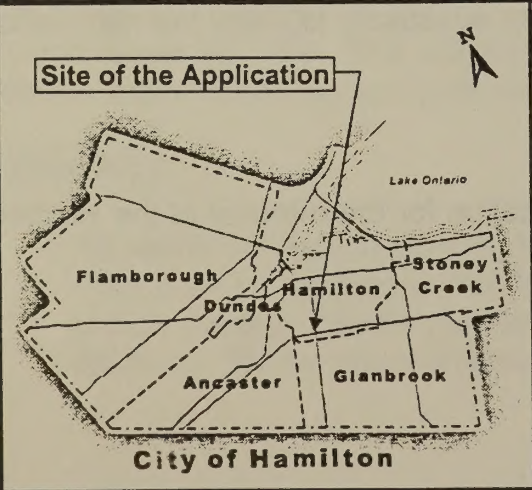
Based on the above, the Zoning Amendment application for the removal of the Holding 'H' symbol provision can be supported.

:GM
Attachs. (2)

Appendix "A" to Report PD03053



DELTA DR
UPPER JAMES ST
RYMAL ROAD WEST
N
HH
1565
HH/S-1119
1550
G-1/S-1051
1591
HH-H
1588
HH/S-814
HH/S-814a
19
HH/S-1109
1599
HH
1600
HH
HH
HH/S-1129a
HH/S-1128
HH/S-1185a
HH/S-1185
HH/S-1032
1616
41
35
25
1632
GI
27



Site of the Application
N
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Hamilton

▨ **Subject Property**
1588 Upper James Street

Removal of the Holding "H" Symbol from the "HH" - 'H' (Restricted Community Shopping and Commercial, Etc.) District, Modified zoning

Filename/number
ZAR-02-77

Date
October 24, 2002

Technician:
MC

Map Not to Scale

Appendix "A"

Authority: Item , Committee of the
Whole
Report
CM:

Bill No.

CITY OF HAMILTON

BY-LAW NO. __________

To Amend Zoning By-law No. 6593, as amended by Zoning By-law No. 02-188, Respecting Lands Located at 1588 Upper James Street

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting of Report of the Committee of the Whole at its meeting held on the day of 2003, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The 'H' (Holding) symbol affixed by By-law No. 02-188 (Hamilton), passed on the 9th of July, 2002, to the "HH"-'H' (Restricted Community Shopping and Commercial, etc. - Holding) District, respecting the lands the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 02-188 (Hamilton) and forming part thereof, is hereby removed, and the

development of lands may proceed in accordance with the “HH” (Restricted Community Shopping and Commercial, etc.) District provisions of Zoning By-law No. 6593 (Hamilton), subject to the special requirements referred to in By-law No. 02-188 (Hamilton).

2. Sheet No. W-9D of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), as amended by By-law No. 02-188, is further amended, by changing from “HH”-‘H’ (Restricted Community Shopping and Commercial, etc. - Holding) District, modified, to “HH” (Restricted Community Shopping and Commercial, etc.) District, modified, the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A” and forming part of this By-law.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" (Restricted Community Shopping and Commercial, etc.) District provisions, subject to the special requirements referred to in section 3 of By-law No. 02-188.

4. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1465a.

5. Sheet No. E-27 of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1465a.

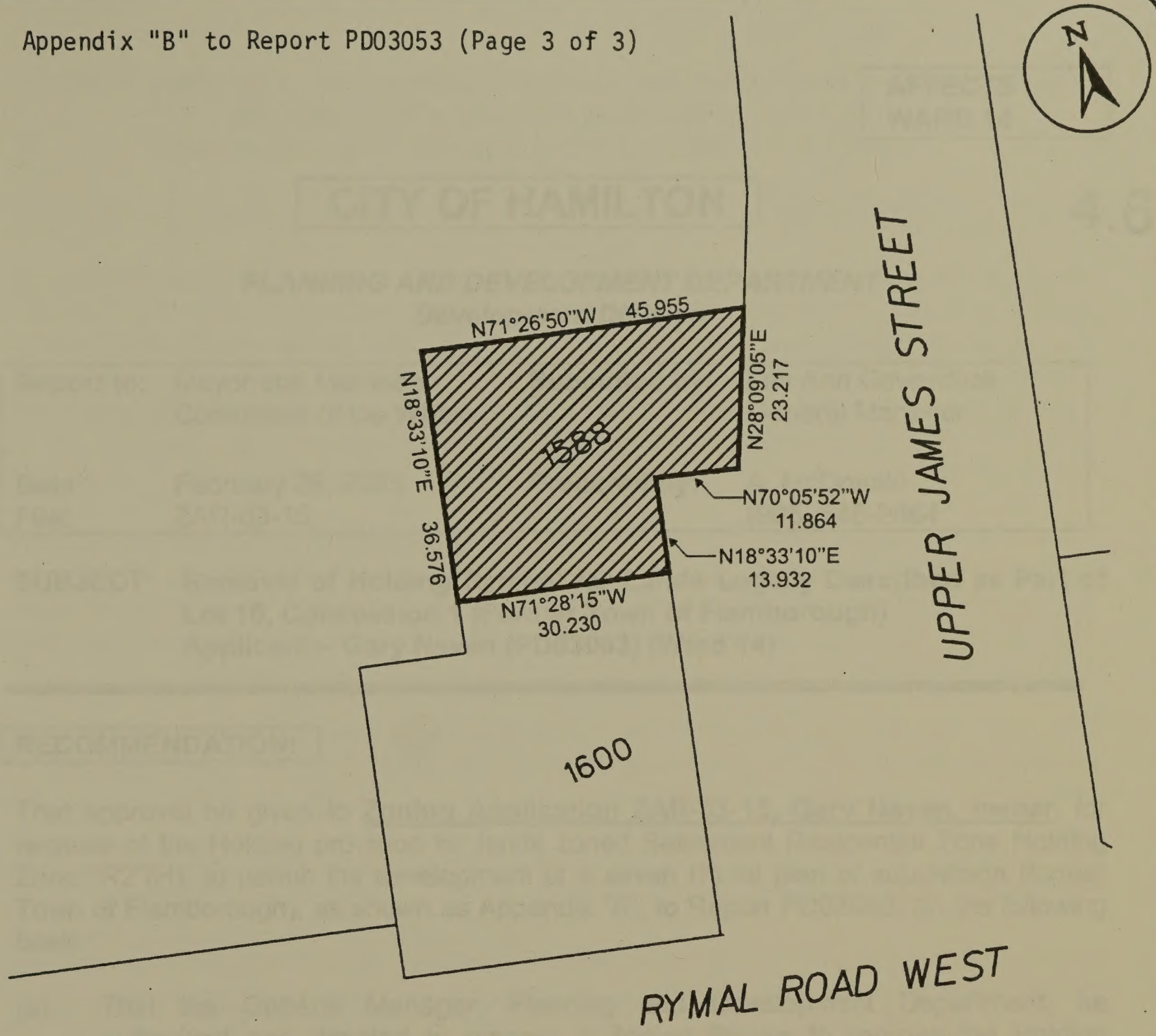
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this day of , 2003.

MAYOR

CLERK

Appendix "B" to Report PD03053 (Page 3 of 3)


N
N71°26'50"W 45.955
N28°09'05"E 23.217
N18°33'10"E 36.576
1588
N70°05'52"W 11.864
N18°33'10"E 13.932
N71°28'15"W 30.230
1600
UPPER JAMES STREET
RYMAL ROAD WEST

This is Schedule "A" to By-Law No. 02 -....................
Passed the .... day of .... , 2002.

Clerk

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 03-____
to Amend By-Law No. 6593

Planning and Development Department

Legend

▨ **Subject Property**
Removal of the Holding "H" Symbol from the "HH"-"H" (Restricted Community Shopping and Commercial, Etc.) District, Modified Zoning

North	Scale	Reference File No.
	NOT TO SCALE	***ZAR-02-77***
	Date	Drawn By
	December 6, 2002	***MC***

AFFECTS
WARD 14

CITY OF HAMILTON

4.6

PLANNING AND DEVELOPMENT DEPARTMENT
Development Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date:	February 28, 2003	**Prepared by:**	A. McDonald (905) 546-2664
File:	ZAR-03-15		

SUBJECT: **Removal of Holding Symbol for Lands Legally Described as Part of Lot 10, Concession 1 (Former Town of Flamborough) Applicant – Gary Neven (PD03063) (Ward 14)**

RECOMMENDATION:

That approval be given to **Zoning Application ZAR-03-15, Gary Neven, owner**, for removal of the Holding provision for lands zoned Settlement Residential Zone Holding Zone "R2"(H), to permit the development of a seven (7) lot plan of subdivision (former Town of Flamborough), as shown as Appendix "A", to Report PD03063, on the following basis:

(a) That the General Manager, Planning and Development Department, be authorized and directed to prepare a Zoning By-law to remove the Holding provision for the subject lands, in a form satisfactory to Corporate Counsel, for presentation to City Council;

(b) That Schedule "A-39", of Zoning By-law No. 90-145-Z (Flamborough), be amended by marking the lands shown on Appendix "A" as Settlement Residential Zone "R2"; and,

(c) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan and the Flamborough Official Plan.

Lee Ann Coveyduck

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

The applicant has applied for a Zoning By-law Amendment, to permit the removal of the Holding provision "H" from the Settlement Residential Holding Zone "R2"(H) for the subject lands, legally described as Part of Lot 10, Concession 1 (former Town of Flamborough), located on the top of the escarpment north of the Town of Dundas and on the west side of Hwy No. 8. (see Appendix "A"), in order to permit the development of a seven (7) lot plan of subdivision, known as "Webster Estates" (See Appendix "B" to Report PD03063).

When Flamborough Zoning By-law No. 90-145-Z was enacted by the former Town of Flamborough on November 5, 1990, a number of properties within the Settlement Areas, without any development proposals, were zoned with an "H" Holding provision. This Holding provision remained, until such time, that a development proposal was approved for the lands.

The City of Hamilton executed the Subdivision Agreement for this draft plan of subdivision, file 25T-82011, December 19, 2002, but the plan has not been registered to date.

The proposal conforms to the policies of the Hamilton-Wentworth Official Plan, the Flamborough Official Plan and the parameters of the Provincial Policy Statement.

Based on the above, the Zoning Amendment application, for the removal of the Holding symbol provision, can be supported.

BACKGROUND:

Details of Submitted Application

Owner:	Gary Neven
Description:	Seven (7) residential lots with various frontages and depths
Subdivision Agreement Executed:	December 19, 2002

ANALYSIS OF ALTERNATIVES:

Should this application not be approved, the applicant will not be able to proceed with the development of the seven (7) residential building lots on the draft approved subdivision pending registration.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial: No implications on financial resulting.

Staffing: No implications on staffing resulting.

Legal: Council approval of a By-law Amendment, to remove the Holding symbol, is required under the Planning Act. A Public Hearing is not required; however, notice of the intent to pass the By-law must be given.

POLICIES AFFECTING PROPOSAL:

- Provincial Policy Statement

  The proposal conforms with the Provincial Policy Statement.

- Hamilton-Wentworth Official Plan (2000)

  The proposal conforms to the Hamilton-Wentworth Official Plan.

- Flamborough Official Plan

  The proposal conforms to the Flamborough Official Plan (Schedule B-16), as the subject lands are designated as Settlement Residential.

- Flamborough Zoning By-law No. 90-145-Z

  The proposal conforms to Zoning By-law No. 90-145-Z, as it proposes to remove the Holding symbol from the subject lands, which are zoned Settlement Residential Zone "R2" (H) Holding Zone.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

No circulation of the application to departments or agencies is required, as the plan of subdivision is pending registration and all agency concerns have been addressed though the subdivision approval process.

CITY STRATEGIC COMMITMENT:

The proposal will provide the opportunity for development in a designated "Settlement Residential" area, which is consistent with the goals for sustainable development. Approval of the application would not result in any negative social, environmental or economic impacts.

COMMENTS:

The lands are designated as Settlement Residential in the Flamborough Official Plan and the proposal, to remove the Holding provision, will permit a development of a subdivision, in accordance with those policies.

The subject lands are zoned as Settlement Residential Holding Zone "R2"(H) by Zoning By-law No. 90-145-Z. When Flamborough Zoning By-law No. 90-145-Z was enacted by the former Town on November 5, 1990, a number of properties within the Settlement Areas, without any development proposals, were zoned with an "H" Holding provision. This was imposed by Council so they had an opportunity to review and monitor proposed residential development.

The Subdivision Agreement was executed on December 19, 2002 and the subdivision plan is expected to be registered imminently.

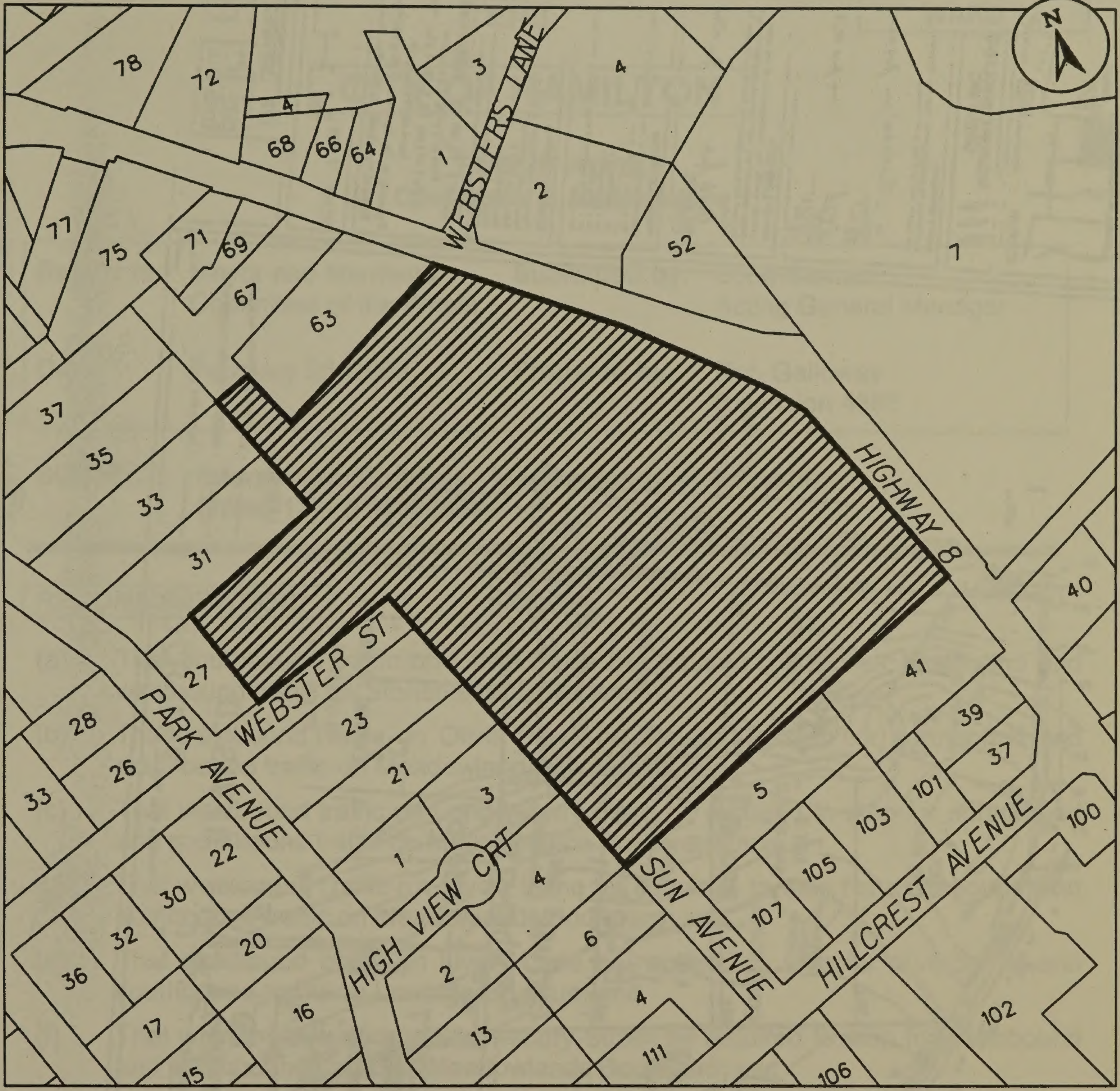
As the intent of the proposed development satisfies all applicable policies and the subdivision process has dealt with all City/Agency concerns, the Holding provision should be removed so that development can proceed on the subject lands.

CONCLUSION:

Based on the above, the Zoning Amendment application, for the removal of the Holding symbol provision, can be supported.

:AM
Attachs. (2)

Appendix "A" to Report PD03063


N
WEBSTERS LANE
HIGHWAY 8
WEBSTER ST
PARK AVENUE
HIGH VIEW CRT
SUN AVENUE
HILLCREST AVENUE
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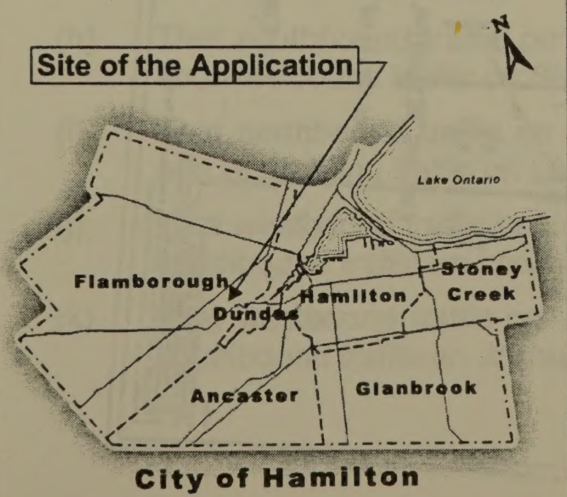

Site of the Application
N
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

▨ **Subject Property**

Hamilton

Filename/number
ZAR-03-15

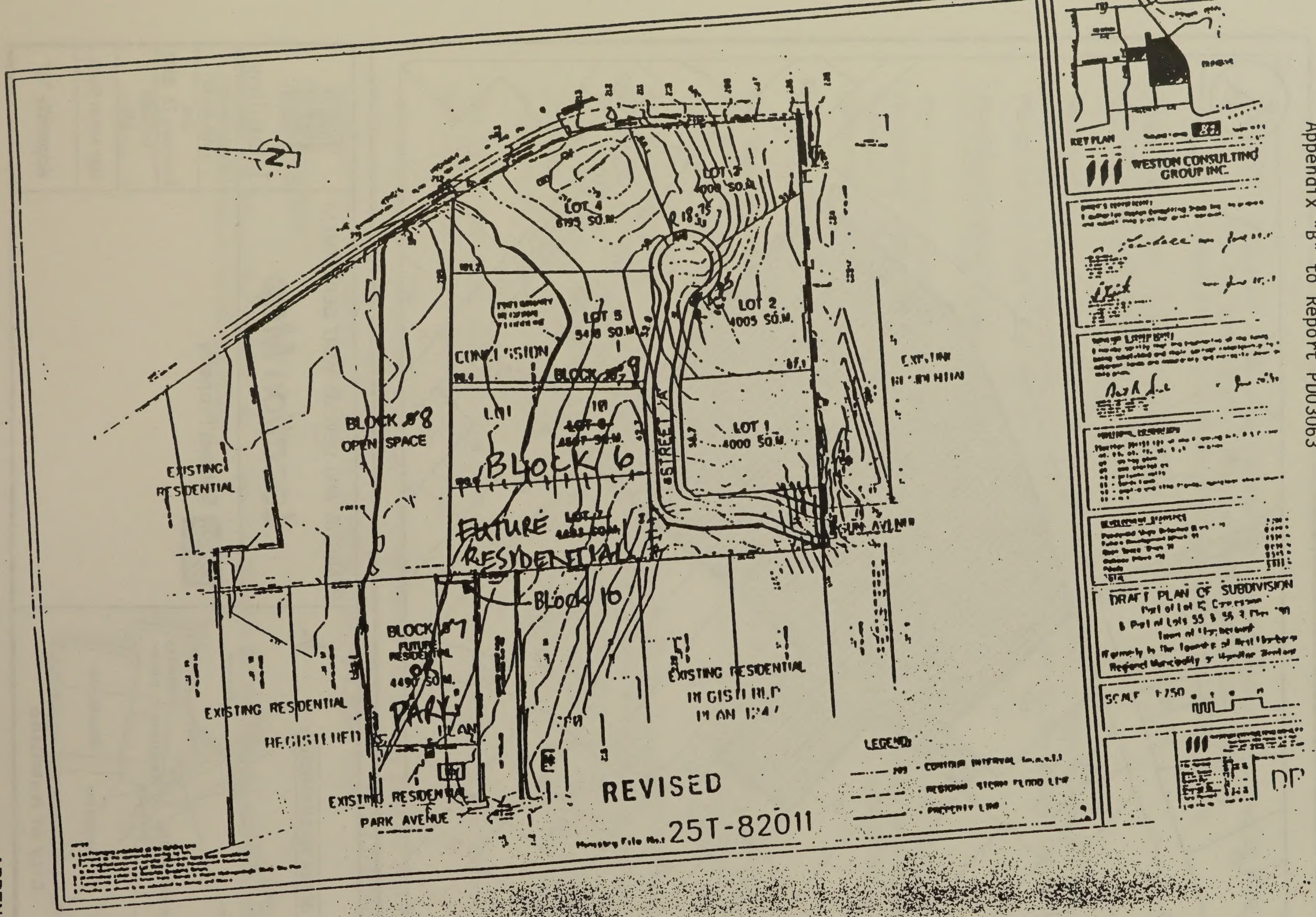
Date
February 25, 2003

Technician:
LM

Map Not to Scale

Appendix "A"

Appendix "B" to Report PD03063


KEY PLAN
WESTON CONSULTING GROUP INC.
LOT 1 4000 SQ.M.
LOT 2 4005 SQ.M.
LOT 3 4000 SQ.M.
LOT 4 6195 SQ.M.
LOT 5 5418 SQ.M.
R 18.75
STREET A
BLOCK 6
BLOCK 9
BLOCK 10
BLOCK 7 FUTURE RESIDENTIAL 4490 SQ.M.
PARK
BLOCK 8 OPEN SPACE
FUTURE RESIDENTIAL
CONCESSION
EXISTING RESIDENTIAL
EXISTING RESIDENTIAL REGISTERED PLAN
PARK AVENUE
LEGEND
CONTOUR INTERVAL
REGIONAL STORM FLOOD LINE
PROPERTY LINE
REVISED
Ministry File No. 25T-82011
DRAFT PLAN OF SUBDIVISION
SCALE 1:750
DP

APPENDIX "B"

AFFECTS WARD 12

CITY OF HAMILTON

4.7

PUBLIC WORKS
Operations & Maintenance

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Scott Stewart Acting General Manager
Date:	February 28, 2003	**Prepared by:**	Rob Galloway Extension 4585

SUBJECT: **Intersection Controls - Meadowlands of Ancaster (Ward 12) - (PW03002)**

RECOMMENDATION:

(a) That southbound traffic on Olivia Place be required to stop for eastbound and westbound traffic on Stonehenge Drive; and

(b) That eastbound traffic on Olivia Place be required to stop for northbound and southbound traffic on Meadowlands Boulevard; and

(c) That westbound traffic on Londonderry Drive be required to stop for northbound and southbound traffic on Meadowlands Boulevard; and

(d) That westbound traffic on Livery Lane be required to stop for northbound and southbound traffic on Meadowlands Boulevard; and

(e) That eastbound traffic on Livery Lane be required to stop for northbound and southbound traffic on Lowinger Avenue; and

(f) That westbound traffic on Shrewsbury Street be required to stop for northbound and southbound traffic on Meadowlands Boulevard; and

(g) That eastbound traffic on Shrewsbury Street be required to stop for northbound and southbound traffic on Joshua Avenue; and

(h) That southbound traffic on Lowinger Avenue be required to stop for eastbound and westbound traffic on Shrewsbury Street; and

(i) That northbound traffic on Lowinger Avenue be required to stop for eastbound and westbound traffic on Londonderry Drive; and

(j) That westbound traffic on Joshua Avenue be required to stop for northbound and southbound traffic on Lowinger Avenue; and

(k) That westbound traffic on Jeffrey Drive be required to stop for northbound and southbound traffic on Joshua Avenue; and

(l) That the attached by-law to amend the City of Hamilton Traffic By-law 01-215 be approved and enacted.

Scott Stewart, Acting General Manager
Public Works

EXECUTIVE SUMMARY:

Two new subdivisions are being constructed and it is appropriate to designate right-of-way control for pedestrians and motorists at intersections. Installation is funded with capital raised through development levies.

The first subdivision named "The Meadowlands of Ancaster Phase 6" is located east of Meadowlands Boulevard and south of Golf Links Road. There are 127 single unit homes units to be erected in this subdivision.

The second subdivision named "Stoneridge" is located west of Meadowlands Boulevard and north of Stonehenge Drive. There are 72 Townhouse units to be erected along Olivia Place in this subdivision.

Nine 'T' type intersections are being designated for stop control on the stem of the 'T's. Two stop controls are proposed where new streets will create four-legged intersections with in the existing subdivision. The implementation of these stop controls will promote safe and efficient traffic movements in the subdivision.

BACKGROUND:

The information/recommendations contained within this report primarily affect Ward 12

The Traffic Engineering office received plans for new subdivisions from the Planning and Development Department. It is appropriate to install stop control at intersections to define the right-of-way rules for motorists and pedestrians. It is therefore recommended that these stop controls be implemented in the Meadowlands of Ancaster Phase 6 and Stoneridge subdivisions.

ANALYSIS OF ALTERNATIVES:

One alternative to implementing stop control at these intersections would be to take no action. The Ontario Highway Traffic Act stipulates that all traffic approaching an uncontrolled intersection must yield the right-of-way to traffic approaching from the right. However, in the interest of public safety, proactive implementation of stop controls is recommended.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in the regular current accounts to cover the costs of manufacturing, erecting and maintaining the required signs. Funding is received through the subdivision agreement.

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

The installation of stop control is a standard traffic operations procedure, and does not require consultation with other departments or agencies.

CITY STRATEGIC COMMITMENT:

The implementation of stop control at these intersections will clearly define the right-of-way, thus reducing the potential for collisions and providing a safer community environment. This approach reinforces the City's Vision 2020 goals of reducing risks and developing a safer physical environment.

Attached: Key Map and By-law

Authority: Item , Name of Committee
Report
CM: Date

Bill No.

CITY OF HAMILTON

BY-LAW NO. 03-

To Amend By-law No. 01-215
Being a By-law To Regulate Traffic

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "A" thereof, the following items, namely:

“Jeffery Dr.	Westbound	Joshua Av.
Joshua Av.	Westbound	Lowinger Av.
Livery Ln.	Eastbound	Lowinger Av.
Livery Ln.	Westbound	Meadowlands Bv.
Londonderry Dr.	Westbound	Meadowlands Bv.
Lowinger Av.	Northbound	Londonderry Dr.
Lowinger Av.	Southbound	Shrewsbury St.

Olivia Pl.	Eastbound	Meadowlands Bv.
Olivia Pl.	Southbound	Stonehenge Dr.
Shrewsbury St.	Eastbound	Joshua Av.
Shrewsbury St.	Westbound	Meadowlands Bv."

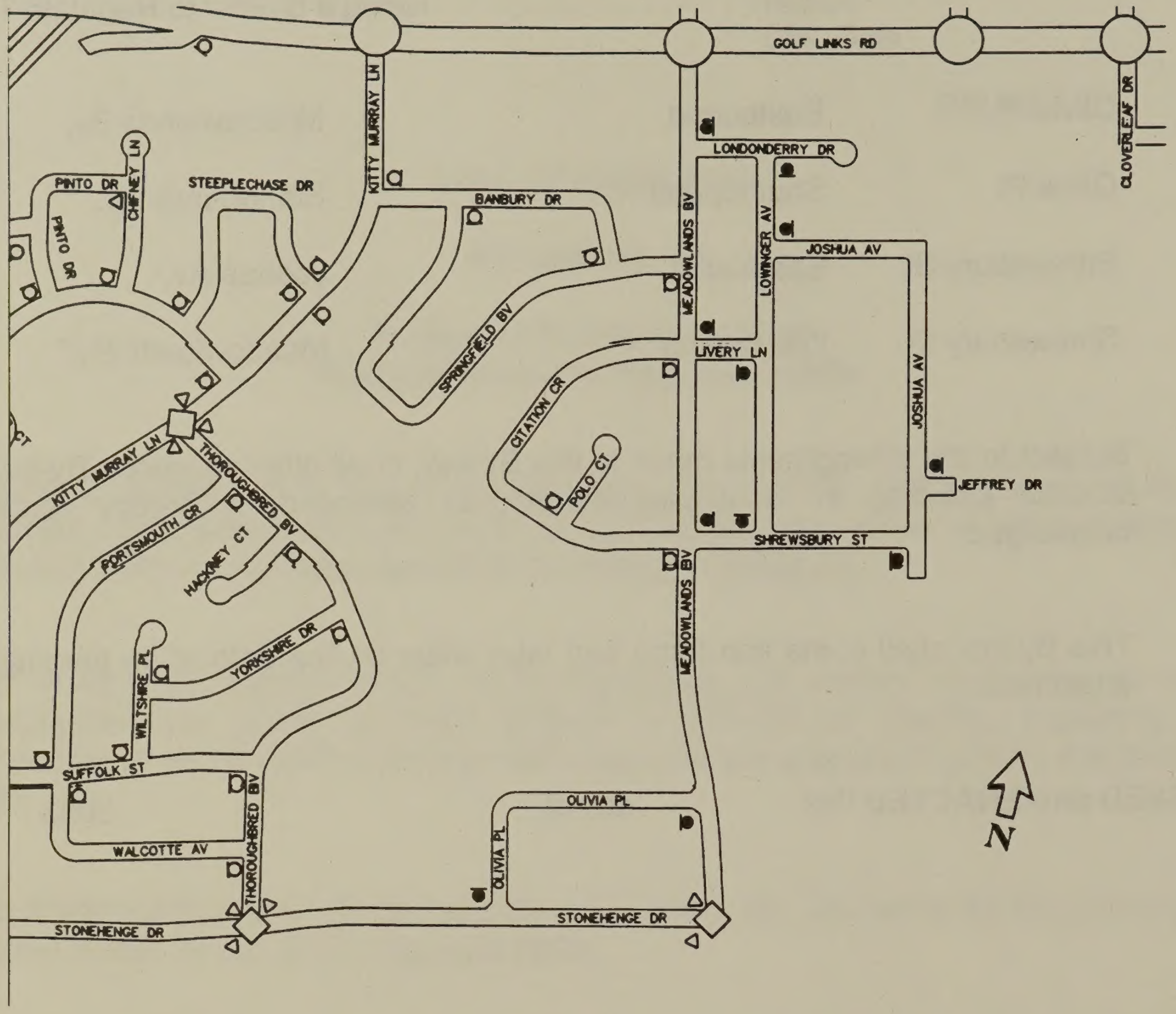
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.

3. This By-law shall come into force and take effect on the date of its passing and enactment.

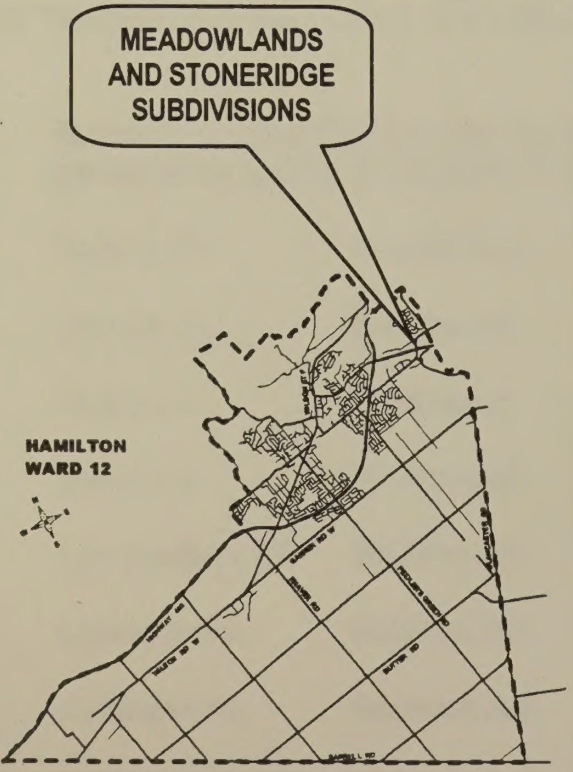
PASSED and ENACTED this day of , 2003

MAYOR

CLERK


GOLF LINKS RD
KITTY MURRAY LN
CLOVERLEAF DR
LONDONDERRY DR
PINTO DR
CHIFNEY LN
STEEPLECHASE DR
BANBURY DR
PINTO DR
MEADOWLANDS BV
LOWINGER AV
JOSHUA AV
SPRINGFIELD BV
LIVERY LN
JOSHUA AV
CITATION CR
POLO CT
JEFFREY DR
KITTY MURRAY LN
THOROUGHBRED BV
PORTSMOUTH CR
HACKNEY CT
SHREWSBURY ST
MEADOWLANDS BV
YORKSHIRE DR
WILTSHIRE PL
SUFFOLK ST
THOROUGHBRED BV
WALCOTTE AV
OLIVIA PL
OLIVIA PL
STONEHENGE DR
STONEHENGE DR
N

KEY MAP


MEADOWLANDS AND STONERIDGE SUBDIVISIONS
HAMILTON WARD 12

LOCATION PLAN

STOP CONTROLS:
MEADOWLANDS PHASE 6
SUBDIVISION AND
STONERIDGE SUBDIVISION
CITY OF HAMILTON
TRANSPORTATION, OPERATIONS & ENVIRONMENT

LEGEND

➡ SUBJECT INTERSECTION

RECOMMENDED		EXISTING	
⬤	TRAFFIC SIGNAL	◯	TRAFFIC SIGNAL
●	STOP SIGN	○	STOP SIGN
▼	YIELD SIGN	▽	YIELD SIGN
◆	ROUNDABOUT	◇	ROUNDABOUT

SCALE	DATE
NOT TO SCALE	2003-03-03

REFERENCE FILE NO: **PW03002**

AFFECTS WARDS 8 and 12

CITY OF HAMILTON

4.8

PUBLIC WORKS
Capital Planning & Implementation Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Scott Stewart Acting General Manager
Date:	February 26, 2003	**Prepared by:**	Gord McGuire Extension 2439

SUBJECT: **To Incorporate Certain City Land into Various Street by By-Law (Wards 8 and 12) - (PW03004)**

RECOMMENDATION:

(a) That the following City land be incorporated into the following streets:

Stonehenge Drive	Block 204 On Plan 62M-828	W-12
Appleblossom Drive	Parts 1 and 2 On Plan 62R-6351; Part 2 On Plan 62R-2596	W-8

(b) That the By-Laws to carry out the incorporation of the said land into the foregoing streets be prepared to the satisfaction of the Corporate Counsel and be enacted by Council.

(c) That the Acting General Manager, Public Works, be authorized and directed to register the By-Laws.

Scott Stewart, Acting General Manager
Public Works

EXECUTIVE SUMMARY:

These lands have been acquired at a nominal cost of $2.00 by the City of Hamilton for road purposes as part of the development process.

BACKGROUND:

The information/recommendations contained within this report primarily affect Ward(s) 8 and 12.

In order to facilitate orderly development the City has been acquiring lands through the subdivision dedication process or direct transfer. These lands are ultimately required to be a part of the road system.

To complete conditions of severance and to complete final street widths, it is necessary to incorporate City land into the road allowance as indicated below:

Incorporating Into Street Name	Land Description Being Incorporated	Financial Implications	Reason for Being Incorporated	File No.
Stonehenge Drive	Block 204 Plan 62M-828 PIN 17565-1227	N/A	To open street and allow orderly development	S600-01
Appleblossom Drive	Parts 1, 2 Plan 62R-6351 PIN 16945-0855 Part 2 Plan 62R-2596 PIN 16945-0853	N/A	To open street and allow orderly development	S600-01

ANALYSIS OF ALTERNATIVES:

The alternative to not incorporating these lands into public highway would be to bar legal access to abutting lands. This would conflict with the development strategy and approved road patterns.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

FINANCIAL: These lands have been acquired at nominal costs during the development process and as such there is limited financial impact on the City of Hamilton.

STAFFING: There are no associated staffing implications.

LEGAL: The City of Hamilton is complying with the relevant legislation by enacting these By-Laws.

POLICIES AFFECTING PROPOSAL:

This recommendation does not bind the corporation to any policy matter.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

In consultation with the Planning & Development Department, Development Engineering Section it has been determined that the development funding has been satisfied. As such this process should proceed to facilitate an orderly development pattern.

CITY STRATEGIC COMMITMENT:

The series of By-laws completes the development cycle originated under the Official Plans and the Vision 2020 document.

THE CITY OF HAMILTON

BY-LAW NO. 03-

TO INCORPORATE CITY LAND DESIGNATED AS BLOCK 204 ON PLAN 62M-828 INTO STONEHENGE DRIVE

WHEREAS the Council of the City of Hamilton is empowered under Section 31(1) of The Municipal Act, 2001, Chapter 25 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Stonehenge Drive within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Stonehenge Drive.

   Block 204, in the Geographic Township of Ancaster, now in the City of Hamilton, on Plan 62M-828.

   City of Hamilton

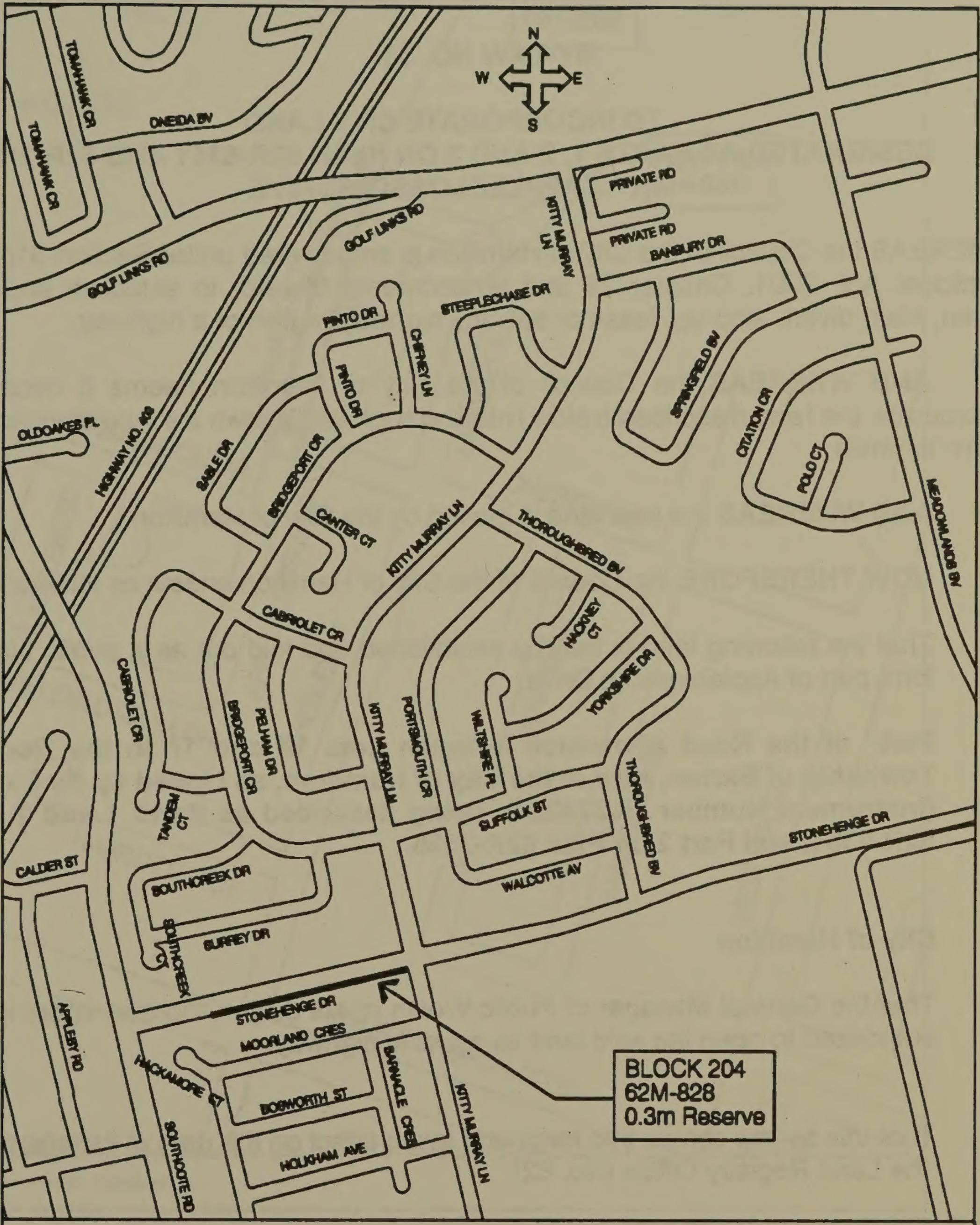
2. That the General Manager of Public Works or his duly authorized agent is hereby authorized to open the said land as a public highway.

3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this day of A.D., 2003

Mayor

City Clerk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TOMAHAWK CR
ONEIDA BV
GOLF LINKS RD
GOLF LINKS RD
KITTY MURRAY LN
PRIVATE RD
PRIVATE RD
BANBURY DR
STEEPLECHASE DR
PINTO DR
PINTO DR
CHERRY LN
SPRINGFIELD BV
CITATION CR
POLO CT
MEADOWLANDS BV
OLDOAKES PL
HIGHWAY NO. 403
SABLE DR
BRIDGEPORT CR
CANTER CT
KITTY MURRAY LN
THOROUGHBRED BV
HACKNEY CT
CABRIOLET CR
CABRIOLET CR
YORKSHIRE DR
BRIDGEPORT CR
PELHAM DR
KITTY MURRAY LN
PORTSMOUTH CR
WILTSHIRE PL
THOROUGHBRED BV
TANDEM CT
SUFFOLK ST
STONEHENGE DR
CALDER ST
SOUTHCREEK DR
WALCOTTE AV
SOUTHCREEK
SURREY DR
STONEHENGE DR
MOORLAND CRES
APPLEBY RD
HACKAMORE CT
BOSWORTH ST
BARNACLE CRES
KITTY MURRAY LN
HOLKHAM AVE
SOUTHCOTE RD

BLOCK 204
62M-828
0.3m Reserve

▬ Subject Land

City of Hamilton

By-law
Ward 12

Stonehenge Drive

CITY OF
HAMILTON
Public Works Department
General Manager, Peter M. Crockett, P. Eng.

DATE: February 19, 2003

Not to Scale

THE CITY OF HAMILTON

BY-LAW NO. 03-

TO INCORPORATE CITY LAND DESIGNATED AS PARTS 1, 2 AND 2 ON PLAN 62R-6351 AND 62R-2596 INTO APPLEBLOSSOM DRIVE

WHEREAS the Council of the City of Hamilton is empowered under Section 31(1) of The Municipal Act, 2001, Chapter 25 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Appleblossom Drive within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

2. That the following land is hereby established and laid out as a public highway to form part of Appleblossom Drive.

Part of the Road Allowance between Lots 16 and 17 in the Geographic Township of Barton, now in the City of Hamilton, as closed by By-Law 10009 (Instrument Number HL229284), being described as Parts 1 and 2 on Plan 62R-6351, and Part 2 on Plan 62R-2596.

City of Hamilton

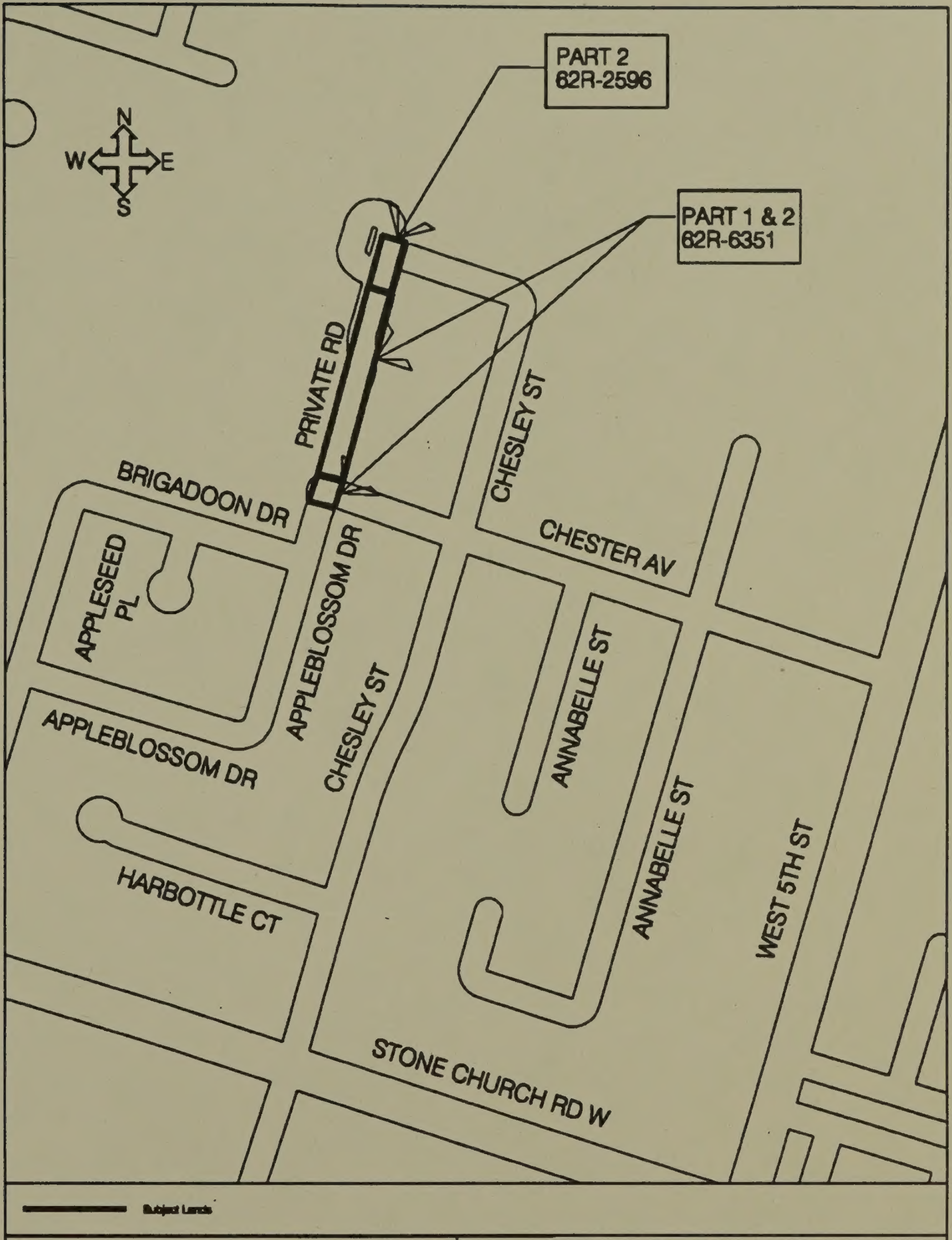
2. That the General Manager of Public Works or his duly authorized agent is hereby authorized to open the said land as a public highway.

4. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this day of A.D., 2003

Mayor

City Clerk


PART 2
62R-2596
PART 1 & 2
62R-6351
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W
E
S
PRIVATE RD
CHESLEY ST
BRIGADOON DR
CHESTER AV
APPLESEED PL
APPLEBLOSSOM DR
CHESLEY ST
APPLEBLOSSOM DR
ANNABELLE ST
ANNABELLE ST
WEST 5TH ST
HARBOTTLE CT
STONE CHURCH RD W
Subject Lands

City of Hamilton
By-law
Ward 8
Appleblossom Drive

CITY OF
HAMILTON
Public Works Department
General Manager, Peter M. Crockett, P. Eng.

DATE: February 19, 2003
Not to Scale

AFFECTS WARDS 11 & 12

5.1

CITY OF HAMILTON

Economic Development Department

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Neil Everson, Executive Director
Date:	February 20, 2003	**Prepared by:**	Neil Everson (x2359) Sylvia Renshaw (x4114)

SUBJECT: Hamilton Airport Gateway Opportunities Study (ECO03004)(Wards 11 & 12)

RECOMMENDATION:

a) That the Hamilton Airport Gateway Opportunities Study be approved by Council; and,

b) That staff be directed to incorporate the "actions" into the Economic Development Department's business plan for 2003/2004.

Neil Everson, Executive Director
Economic Development

EXECUTIVE SUMMARY:

As part of the Council approved Economic Development Strategy, Price-Waterhouse Coopers were contracted to prepare the Airport Gateway Opportunities Study - one of the short-term deliverables associated with this cluster. The feasibility study identified the specific businesses/industries that would be interested in locating near the airport as well as their locational needs. This data is also incorporated in the Planning & Development Department's Industrial Business Park Review study and Public Works Department's Airport Area Servicing Strategy. The next key "action" step in the development process is the implementation of a detailed Airport Gateway Land Development Strategy – pending funding. The HIA Gateway Opportunities Study "actions" are located in the attached study report.

BACKGROUND:

Hamilton City Council approved the Economic Development Strategy May 29, 2002 (Report ECO02006 – Economic Development Strategy – COW Report No. 02-022). The Airport Gateway Opportunities Study is a fundamental step in implementing the Economic Development Strategy. The Study provides recommendations regarding the types of companies best suited for locating at or near the John C. Munro Hamilton International Airport and the new Hwy #6.

This document has been prepared in conjunction with the Planning & Development Department's Industrial Business Park Review. The results from the Gateway Opportunities Study are being used for the Industrial Business Park Review and Airport Area Servicing Strategy as well as for background material for the proposed Airport Gateway Superbuild submission.

The Study confirms that John C. Munro Hamilton International Airport has significant potential to serve the growing southwestern Golden Horseshoe area while complementing Pearson International Airport. The study highlighted the direct linkages to Hwy #403, QEW, Hwy #407, new Hwy #6 and Hamilton's Port as major drivers in the future success of HIA. These were identified as the key factors for land development in the airport vicinity and specifically, for long term commercial and industrial development of time-sensitive sector companies. Fort Worth/Alliance was consistently referenced as the best example of the aforementioned companies locating at airports and the related economic impact to the community.

As the study concludes the Official Plan, urban boundary expansion, servicing and zoning issues must be addressed before the full potential can be accurately defined and development can proceed. The Airport Gateway Opportunities Study is one of the first steps in moving Hamilton towards an aerotropolis cluster.

ANALYSIS OF ALTERNATIVES:

The Industrial Business Park Review study is addressing the industrial land inventory, while the Public Works Department is developing an Airport Area Servicing Strategy. Outcomes will determine whether there are any alternatives.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – Additional funding will be required to develop an Airport Gateway Land Development Strategy.

Staffing – Consultants would be required to develop the Airport Gateway Land Development Strategy.

Legal – Not applicable.

POLICIES AFFECTING PROPOSAL:

Changes to the Official Plan, Urban Boundary Expansion and Zoning By-laws will have to be addressed.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

A Steering committee was formed to guide the Airport Gateway Opportunities Study. Representatives from the Ministry of Enterprise Opportunity & Innovation, Tradeport International Corporation, Planning & Development Department, Public Works Department and Economic Development Department worked with Price-Waterhouse Coopers consultants to undertake the study.

A key component of the Study was outreach provided by the consultants to local stakeholders/local land owners, neighbouring economic development agencies, Canadian and American airport authorities, companies in proximity to airports, and realtors.

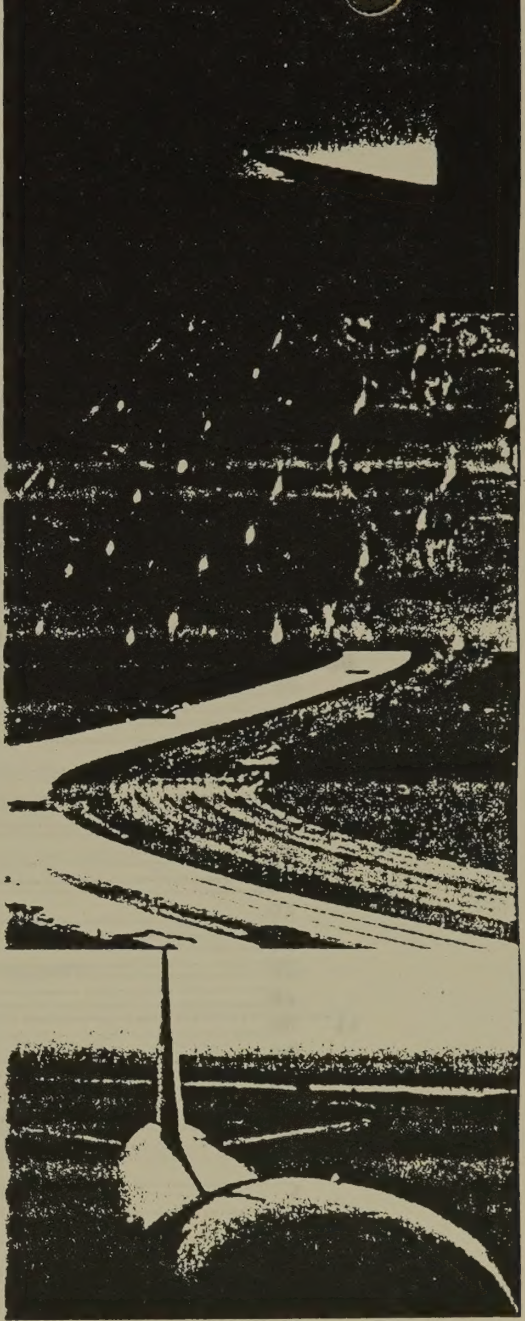
CITY STRATEGIC COMMITMENT:

Hamilton City Council has identified “A City of growth and opportunity” as one of its goals. Further, economic development and specifically the Aerotropolis have been identified as one of City Council’s top priorities.

NCE:sr (x2359/x4114)

Hamilton Airport Gateway Opportunities Study

Final Report



Date: October 25, 2002

Prepared for:
The City of Hamilton and the
Ontario Ministry of Enterprise,
Opportunity and Innovation

PRICEWATERHOUSECOOPERS

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1.0 EXECUTIVE SUMMARY

1.1 Introduction

- This study has been prepared for the City of Hamilton in partnership with the Ontario Ministry of Enterprise, Opportunity and Innovation to evaluate development opportunities in the vicinity of Hamilton International Airport (HIA).

- In recent years, the City of Hamilton has been redefining its role within the new economy. Based on the rapid development attracted by cargo airports in the United States, and the successes experienced by HIA to date, the City has identified HIA as its "Number One Priority" in its Economic Development Strategy.

- Although the land around HIA has yet to be serviced or developed, the extension of Highway 6 to the airport by 2004 and longer term transportation projects, such as the Mid Peninsula Corridor connecting the Niagara Region with Highway 403, and the Red Hill Creek Expressway will generate significant development interest in this area.

- The objective of the study include:
  - To investigate and recommend the types of companies and/or industrial sectors best suited to develop near to HIA;
  - To establish the market for the development of the airport and surrounding lands, including the types of activities, land requirements, infrastructure and facility needs of the identified companies and sectors;
  - To identify best practices from other successful planned airport developments; and
  - To provide the basis for a business plan to support future investment.

- The work program on which our conclusions are based comprised a mix of interviews with stakeholders, industry experts and case studies. This has enabled us to develop a vision as to what HIA and its surrounding lands might aspire, as well as, an action plan as to how that vision might be achieved.

- The airport itself is almost fully occupied. The study area includes approximately 5,800 acres surrounding HIA.

1.2 HIA is at the Hub of the Golden Horseshoe

- HIA occupies a strategic location within the Heart of the Golden Horseshoe – an urbanized region with a population of 7.4 million. With the opening of the Highway 6 extension, it will have direct access to the expressway network serving eastern North America.

- HIA complements Lester B. Pearson International Airport, through its 24-hour operational capability, reduced congestion and lower landing fees. This enhances the opportunities within the Golden Horseshoe to provide time sensitive airfreight and reduced fare passenger services. This also helps Southern Ontario to compete with nearby facilities in the U.S. such as Buffalo International Airport.

- HIA's growth in both cargo and passenger volume has increased ten fold over the past decade. With major tenants, such as Purolator, UPS and FedEx, HIA is Canada's highest volume airport in terms of integrated courier shipments.

- With the timeliness demanded by the new economy, airports have become critical pieces of infrastructure. With its access to air, rail, port and highway facilities, Hamilton has the potential to develop into a major multi-modal hub.

1.3 Hamilton International Airport is Becoming a Vital Part of the Southern Ontario Economy

- One of the major attractors for firms locating in the Golden Horseshoe is the access to an established transportation network including highway, rail, port and airport facilities, all of which exist within close proximity to HIA.

- Golden Horseshoe municipalities have concluded that airport accessibility is one of the key corporate considerations for firms locating in their communities. Many regularly site HIA in their marketing campaigns to attract new business investment.

- HIA directly supports the economic sectors being targeted by Golden Horseshoe municipalities and further supports the sectors identified as key to the future economies of Ontario and Canada.

- In particular, the western portion of the Golden Horseshoe is expected to attract the highest share of growth in the Region over the next 20 years and will comprise about 45% of the population. By comparison, the Central Ontario communities east of the City of Toronto will account for only 11% of the population. HIA is consequently, well positioned to serve the Region's population base.

1.4 Airport Communities are Major Economic Engines in the United States

- A number of strategically located former military airports and green field sites in the United States have been transformed into major cargo hubs and have attracted unprecedented levels of industrial development.

- Airport communities comprising thousands of acres in areas such as Columbus, Ohio, Fort Worth Texas and North Carolina have materialized since the early 1990's from the rapid clustering of distribution, warehousing and manufacturing firms around new airports.

- The success of these airports is linked directly to features such as 24 hour, 7 day a week operations, the lack of congestion experienced by major passenger airports, direct taxiway access for businesses, the availability of Foreign Trade Zones and a central location to a regional or national market. HIA also enjoys all of these characteristics.

1.5 HIA Represents an Immediate Investment Opportunity

- The rapid growth around secondary US airports did not occur without significant up front planning and investment.

- They were generally created from master planned communities. Land consolidation, through public-private co-operation, was critical to crystallize the development vision, ensure that orderly development could occur and to minimize the location of non-compatible uses that may threaten the long-term operational advantages of the airports.

- Significant upfront investment in infrastructure was undertaken by State, Federal and local authorities. This included roads, utilities, and airport and other transportation facilities in an effort to ensure that land was available when needed. This enabled the jurisdictions to effectively compete for new business investments.

- State and local authorities also provided significant incentive packages to attract firms, such as couriers and major manufacturers that could be catalysts for further development. While incentives, such as property tax and sales tax relief are not available to Canadian municipalities, Canada enjoys locational cost advantages over the United States that may, to some extent, reduce the pressure for incentives. Hamilton has already attracted a good range of air cargo tenants that will help to draw additional business activities once servicing is in place and the Highway 6 extension is complete.

- New programs being developed by the Province, such as Opportunity Bonds and Tax Incentive Zones may allow communities, such as Hamilton, to compete more effectively with U.S. jurisdictions for strategic economic development opportunities.

1.6 HIA is a Magnet for Industries Strategic to Southern Ontario

- The businesses attracted to airport communities in the United States are consistent with many of the sectors currently being targeted by the City of Hamilton and other municipalities in Southern Ontario, as well as those being courted by the Provincial and Federal Government.

- Based on our review of these target sectors, the activities attracted around the US airports and our assessment of HIA, we have identified the following sectors as having the greatest potential for HIA:

- **Logistics**, including Airfreight Forwarders, and Couriers;
- **Aviation,** including maintenance repair and overhaul, aircraft parts manufacturing, and flight training;
- **Manufacturing,** including Automotive parts, advanced machinery, and plastics;
- **Information and Communications Technologies**, including hardware, software and consulting; and,
- **Biomedical,** including Biotechnologies, pharmaceuticals, and potentially, clinical laboratories.

1.7 Actions for HIA

- We have identified between 2,050 and 3,200 acres around HIA that would be of strategic importance in terms of attracting businesses to the area. These lands have been illustrated on Figure 1-1

Proposed Airport Related Land Allocation

Location	Approximate Acreage (1
Airside Access	350 - 400
Gateway Site at Airport Entrance	100 – 200
Strategic Lands Near New Highway 6	1,000 – 2,000
Existing Business Park (2	600
Total	**2,050 – 3,200**

1) Acreages are intended to represent gross acreages and should be viewed as approximate estimates only. More detailed land calculations should be undertaken taking into consideration finalized area limits, the existence of woodlots and other environmental features, the Highway 6 right-of-way, and the Mid Peninsula Corridor alignment.

2) Excludes lands with airside access which have been shown on the first line of the table.

- Based on a review of the U.S. experience and our knowledge of Canadian and local trends, we would expect typical industrial lot sizes to be in the 4-6 acre range. We would recommend that planning policies provide some flexibility to allow for much larger parcels that may be required by specialized users.
- Major transportation corridors, such as the new Highway 6, are desirable locations for new businesses not requiring airside access. However, the lands along the new Highway 6 corridor and other identified lands of strategic importance are still agricultural in nature and located outside the Urban Area Boundary. Expansion of the Urban Area Boundary is subject to an Official Plan amendment and prescribed policy requiring an evaluation of municipal-wide need,

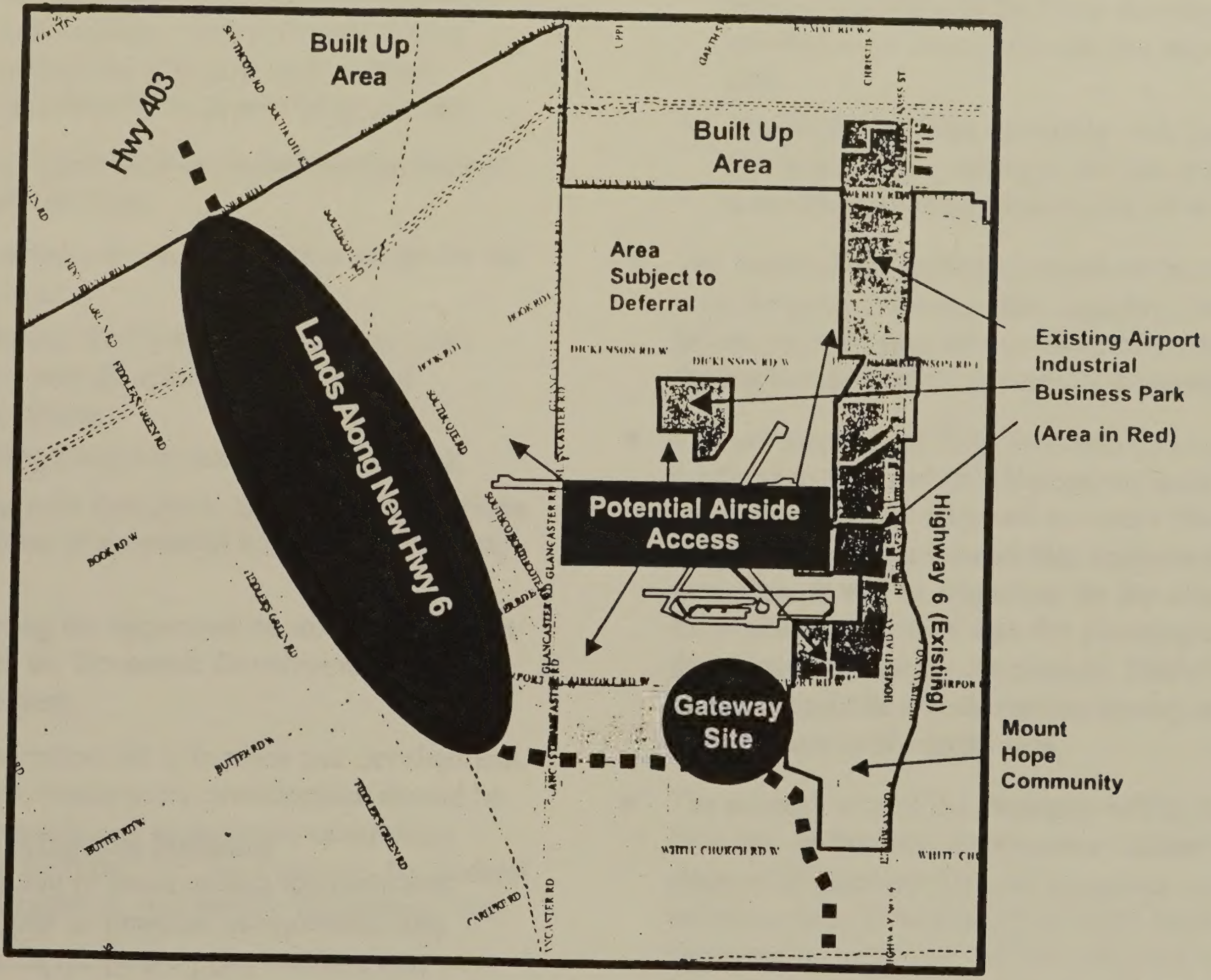
agricultural, environmental and social impacts, and cost of servicing. For this reason, it is more expeditious and cost effective to upgrade and/or bring additional servicing to a portion of the existing Business Park as a first phase of development. The Industrial Business Park Review and pending Airport Area Servicing Strategy initiated by the City will address land requirements and feasibility of providing services.

- The City should spearhead the initial development of the airport lands through:
    - ➢ The creation of a development strategy for the study area;
    - ➢ Facilitating the land assembly process and, where essential, utilizing its powers of expropriation;
    - ➢ Providing local infrastructure as required;
    - ➢ Liasing with Provincial and Federal authorities on matters of provincial and national interest; and
    - ➢ Marketing the opportunities around the airport through the Economic Development Department.
- Once initial infrastructure is in place and development momentum has commenced, consideration should be given to the formation of an authority comprising representatives from the City, the Province, the Federal Government, TradePort, and private landowners with responsibility for:
    - ➢ Advising on strategic and land use planning issues;
    - ➢ Marketing the airport area;
    - ➢ Facilitating business location to and expansion within the airport area;
    - ➢ Acquiring lands strategic to the airport area to ensure compatibility of land uses with airport operations and/or to facilitate development by the private sector consistent with the airport area plan; and,
    - ➢ Developing or joint venturing with the private sector to develop strategic projects that may not be undertaken by the private sector on its own.
- The intent of the authority would not be to compete with the private development industry, but to assist private development and to undertake actions to ensure the implementation of the airport area plan.
- The primary role of TradePort will be to operate HIA, continue to plan and develop airport lands in co-ordination with the City and to ensure that the airport is able to operate in a manner that supports the airport area plan. It will be important for the airport to have early and regular input into the planning and development process. As a result, TradePort on behalf of HIA should be a commenting agency on development in the study area.
- The primary role of the Province will be to incorporate HIA into its business development initiatives as a key element of Southern Ontario's regional economic infrastructure; to facilitate Provincial highway construction within the airport area; and, to assist with appropriate funding through applicable programs to

ensure the availability and timeliness of infrastructure development.

- The primary role of the Federal Government will be to market HIA through its business development and export initiatives and to assist airport infrastructure funding through applicable programs.

Figure 1-1
Recommended Airport Areas of Strategic Importance


Hwy 403
Built Up Area
Built Up Area
Area Subject to Deferral
Lands Along New Hwy 6
Potential Airside Access
Gateway Site
Highway 6 (Existing)
Existing Airport Industrial Business Park
(Area in Red)
Mount Hope Community
DICKENSON RD W
DICKENSON RD W
GLANCASTER RD
WHITE CHURCH RD W
AIRPORT RD W
FIDDLERS GREEN RD
BOOK RD W
BUTTER RD W
CARLUKE RD

2.0 INTRODUCTION

This study is dated August 15, 2002 and contains a detailed evaluation of the development opportunities around Hamilton International Airport (HIA) in Hamilton, Ontario. It has been commissioned by the City of Hamilton Economic Development Department in partnership with the Ontario Ministry of Enterprise, Opportunity and Innovation. The study was undertaken under the guidance of a Steering Committee comprised of representatives from:

- The City of Hamilton Economic Development Department;
- The Ontario Ministry of Enterprise, Opportunity and Innovation, Urban Economic Development Branch;
- The City of Hamilton Planning and Development Department;
- The City of Hamilton Transportation, Operations and Environment Department; and,
- TradePort International Corporation (The operators of HIA).

The study conclusions are based on extensive research into the prevailing business investment trends occurring in North America and specifically in Southern Ontario, the economic characteristics of the Hamilton Region, the operational strengths of HIA, and the experiences at successful cargo airports in the United States.

2.1 Study Background

The City of Hamilton is redefining its role within the context of its new municipal boundaries and the economy of the 21st Century. It is embarking upon a number of related studies and strategy initiatives to strengthen its role as a key economic and transportation centre for the Golden Horseshoe.

The international airport is a critical component of the emerging vision for the City and identified in Hamilton's Economic Development Strategy as the "number one priority". With the expansion of Highway 6 to the doorstep of the airport by 2004 and the planned Mid-Peninsula corridor, the attraction of the airport and surrounding lands will be enormously enhanced. Even without these key highway projects, the development of the airport itself has exceeded expectations. HIA is already the largest integrated courier airport in Canada and is rapidly developing its role serving niche passenger airlines. Considerable investment has already been made into the airport by the City, TradePort International, airport tenants, the Province and other private and public stakeholders. The lands surrounding the airport offer a significant opportunity to build on the success of HIA.

At this juncture, it is critical for the City to examine the market opportunities for the airport and surrounding lands for several reasons:

- **To ensure that the City makes best use of the opportunities presented by the airport before**

development pressures make long term planning more difficult;

- **To enable the City to plan for future infrastructure required to serve development around the airport;**
- **To be used as background for the concurrent Industrial Business Park Review study, which will evaluate the future need for and function of several employment land sites, including the Airport Industrial Business Park.**

Although, the study focuses primarily on the off-airport lands, the ultimate goal is to evaluate the City's vision for the airport district as Canada's premier specialty air cargo facility and fastest growing passenger gateway. In addition it will lay the groundwork for the implementation of that vision through the realization of complementary development opportunities. Imbedded in this goal are several objectives:

- To propose a development strategy that maximizes the investments of the various stakeholders;
- To establish the market for the development of the airport and surrounding lands, including types of activities, land requirements, infrastructure and facility needs of the companies and/or industrial sectors best suited to develop near HIA;
- To identify best practices that are appropriate for HIA from other successful planned airport developments; and,
- To provide the basis for a business plan to support infrastructure investments by the Province and other stakeholders.

2.2 Methodology

The Airport is an economic generator unlike any other that exists in Hamilton. The type of tenants attracted to the lands surrounding the airport will represent a mix from both the new economy and traditional industries, many locating in economic clusters that are only beginning to emerge in Southern Ontario and specifically in the Hamilton area. Our methodology is intended to capture changing industrial development dynamics and complement the Hamilton Industrial Business Park Review, which is being undertaken concurrently with this study.

The work program on which our conclusions are based comprises a mix of interviews with stakeholders, industry experts and case studies. This has enabled us to develop a vision as to what HIA and its surrounding lands might aspire, as well as, an action plan as to how that vision might be achieved. The specific research has included:

- **A dialogue with stakeholders** including, a workshop with TradePort Officials, interviews with existing airport tenants, interviews with local landowners and real estate brokers, interviews with

Hamilton Economic Development and Planning officials, and attendance at a public open house on the future of three of Hamilton's Business Parks, including the Airport Business Park.

- **Interviews with Provincial and Federal economic development agencies**, including Industry Canada, the Federal Department of Foreign Affairs & International Trade, the Ontario Ministry of Enterprise, Opportunity and Innovation and the Ontario Investment Service.
- **Interviews and review of economic development strategies of other municipalities influenced by HIA**, including: Niagara Region, Brantford, Burlington, and Waterloo Region.
- **Case studies of other major airport business communities**, including: Alliance, Texas; Rickenbacker International Airport, Ohio; and, Piedmont Triad Airport, North Carolina.
- **Interviews with major companies locating within other major airport business communities.**
- **Interviews with Industry Association Representatives.**
- **Review of Foreign Trade Zone activity in the United States and the Export Distribution Centre Program in Canada.**

2.3 Definition of Study Area

At the present time, the airport itself is almost fully occupied, so that the focus of the study is on the extent and type of development that might occur on the surrounding lands, which include the previously designated Airport Business Park, Special Policy Areas to the north and south of the Airport, as well as other lands of interest for potential development. In total, these lands comprise approximately 5,800 acres and have been shown geographically on Figure 3-6 in the following section. For the most part they are largely rural in character, designated for agricultural uses, and lack municipal services.

To the southwest of the Study Area are the Mount Hope Community and other rural lands north of Whitechurch Road. These lands were excluded from the Study Area, in part, because the focus of the Study was on the lands between the airport and the Urban Area and in part because of sensitivity to the Mount Hope community. The long term potential exists for an interchange between the New Highway 6 and Whitechurch Road. As such, there may be some merit in considering the lands south of Mount Hope for longer term airport development.

3.0 HIA – AT THE HUB OF THE GOLDEN HORSESHOE

3.1 HIA has Competitive Advantages that Position it as a Regional Economic Catalyst

Since its privatization in 1995, Hamilton International Airport has steadily grown its cargo handling and passenger volumes, while at the same time attracting major new tenants and significant new investments. It has become an important piece of the transportation infrastructure in Canada's largest economic economic region. Its success is attributed to its strategic location within Ontario's Golden Horseshoe stretching from Niagara through the Kitchener-Waterloo-Cambridge technology triangle, to the Greater Toronto Area. Its achievements are also inherently linked to trends in the technology, logistics, air cargo and passenger airline industries that vaulted a number of secondary airports into their status as regional economic magnets

Locational Advantages of HIA

As illustrated in Figure 3-1, HIA is located less than one hour from the majority of Canada's single largest manufacturing concentration. The Golden Horseshoe, as a whole, represents a market of some 7.4 million people, almost one-quarter of the Canadian population and over 60% of the Ontario population.

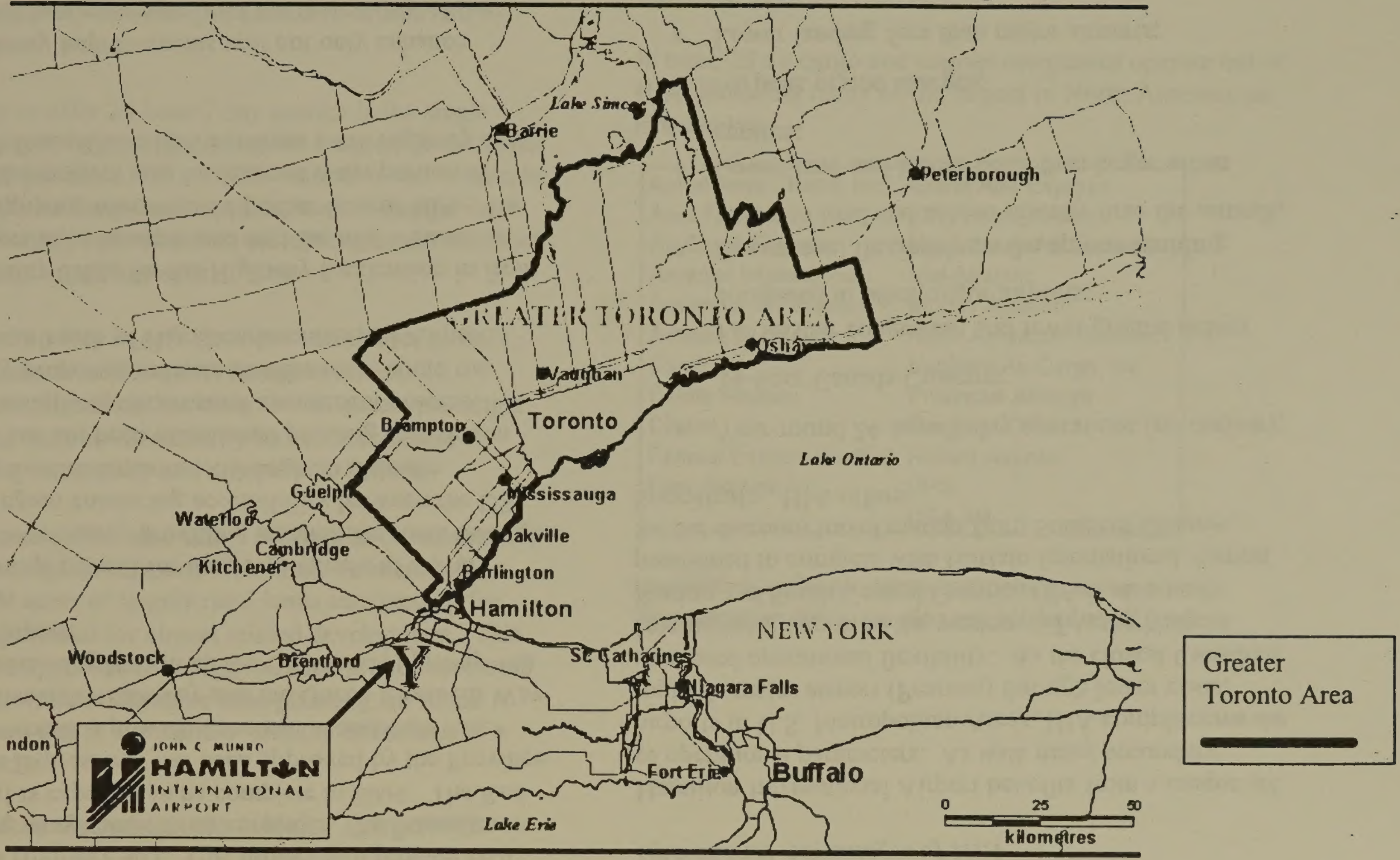
Its location within the Windsor-Quebec City Corridor and proximity to the US eastern seaboard has enabled HIA to grow into an important Canadian cargo hub serving a large portion of North America. Over $1.5 billion dollars a day in trade occurs between Canada and the U.S., with some 40% of Canada's Gross National Product moving by air cargo.

In terms of trucking capabilities, Hamilton is situated within a one-day drive of a North American market of approximately 150 million people.

Hamilton also benefits from its proximity to an excellent and expanding network of major highways and arterial roads providing relatively easy access to Ontario's 400 series highways and the US Interstate network.

It is important to recognize that the expansion of HIA has occurred despite a site that is relatively isolated from the regional highway network, located some 10 kilometres from Highway 403 and an equal distance from the Lincoln Alexander Parkway – the local expressway extending east-west through Hamilton.

Figure 3-1
Hamilton International Airport Regional Setting


Lake Simcoe
Barrie
Peterborough
GREATER TORONTO AREA
Oshawa
Vaughan
Brampton
Toronto
Lake Ontario
Guelph
Waterloo
Mississauga
Cambridge
Kitchener
Oakville
Burlington
Hamilton
NEW YORK
Woodstock
Brantford
St Catharines
Niagara Falls
London
JOHN C. MUNRO
HAMILTON
INTERNATIONAL
AIRPORT
Fort Erie
Buffalo
Lake Erie
0
25
50
kilometres
Greater
Toronto Area

However, its connectivity to the regional highway system will soon be seamless. Construction has commenced on the Highway 6 limited access roadway linking HIA directly to Highway 403. This project will provide HIA with expressway access to its entrance. The extension to the Airport is expected to be complete in 2004. The Red Hill Creek Expressway has been approved by the Province and will eventually provide excellent access between Lincoln Alexander Parkway and the Queen Elizabeth Way (QEW), enhancing links with the QEW and Highway 403 with the Airport.

Longer term plans call for the development of a Mid Peninsula expressway providing an alternate route through Niagara Region enhancing accessibility between the US and South Central Ontario. Although an ultimate alignment has not been established pending completion of the necessarily environmental assessment process, preliminary proposals indicate that the route could run adjacent to or south of Hamilton International Airport.

The possibility exists for the Highway 6 extension in front of the airport to be incorporated into the Mid-Peninsula corridor highway, which would further benefit HIA. The impact of this project may be reduced if the portion of Highway 6 from 403 to HIA becomes a toll highway as a result.

These highway improvements will not only enhance access for airline passengers and the desirability of the area for firms directly tied to airport activities, but will open up the airport vicinity to all companies relying on accessibility to the North American highway system.

Operational Advantages of HIA

Hamilton International Airport benefits from a unique set of operational parameters. As with many secondary airports in U.S. Metropolitan Areas, HIA compliments the region's major airport (Pearson) through lower costs, increased operational flexibility. As the closest Canadian International airport to the western GTA, the Niagara Region and South Central Ontario, HIA is also well positioned to compete with Buffalo International Airport for the discount travel market from Southern Ontario. Specifically, HIA offers:

- Year-round 24-hour/7-day operations (no curfew);
- 24-hour Canada Customs;
- Far less air congestion and fewer ground delays compared to other major airports;
- Operational flexibility on the aprons enabling trucks to load and unload directly onto the aircraft;
- Lower land and labour costs than larger urban centres;
- No peak period charges;
- Lower landing fees than major airports;
- No landing restrictions;

- Abundant lands for development in proximity to the airport; and,
- Relatively minimal population to be affected by aircraft noise.

The ability to offer 24 hour/7 day service is the single most important factor influencing the location of the major courier companies at HIA. HIA is critical to the overnight delivery service for a number of the courier companies, several of which indicated that without the round the clock service, they would not exist at HIA.

Lower landing fees benefit discount and charter airlines, enabling them to achieve cost competitiveness. Furthermore, Hamilton has been able to attract passenger airlines that may not necessarily be accommodated at Pearson due to capacity and competitive factors.

Unlike Pearson, HIA also offers substantial development potential around the airport. The Study Area includes some 5,800 acres of largely rural lands surrounding the HIA with potential for airport related development. This provides an opportunity to piggyback on to the success of the airport, while at the same time planning for future development that is compatible with the operations of a major airport.

3.2 HIA is Growing into a Major Cargo Hub

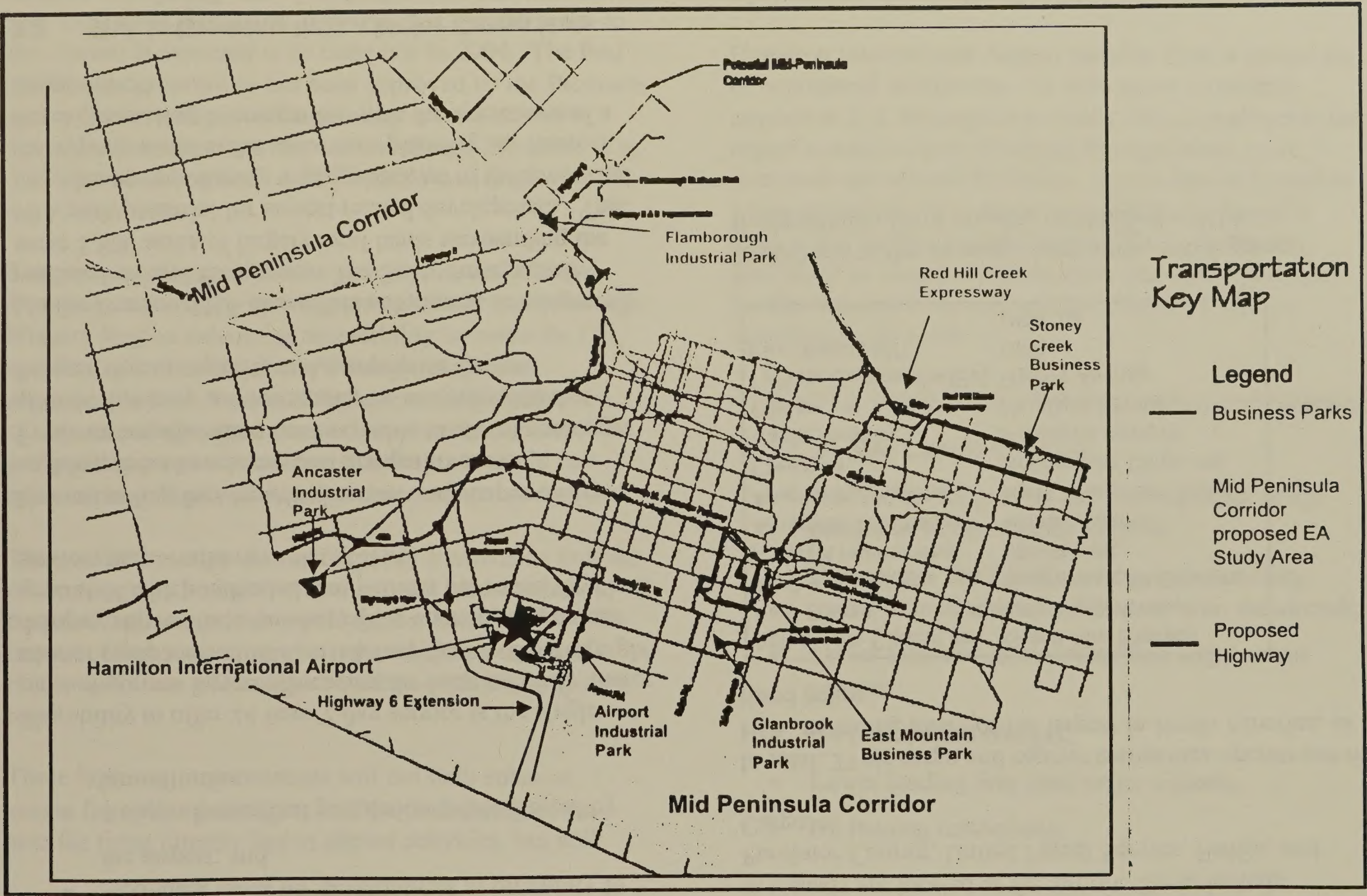
HIA is Canada's highest volume airport in terms of integrated courier air shipments. Facilities for four of the largest overnight package delivery companies that operate in Canada are located at the airport. These include Purolator Courier, United Parcel Service, FedEx, and CargoJet.

In total, 23 air cargo and courier companies operate out of HIA, including many of the largest in North America, as listed below.

Active Aero Charter Inc.
Aero Freight
Air Cargo Express
Amerijet International
Ameristar Jet Charter
Aviation International
Cargo Jet
Castle Aviation
Clinton
Federal Expess (FedEx)
First Air/AirNWT
Grand Aire Express
Kitty Hawk Airways
Knighthawk Air Express
Mid-Atlantic
Murray Aviation
North American Charters
Northern Air Cargo, Inc.
Provincial Airways
Purolator Courier
Reliant Airlines
UPS
USA Jet

In addition to the air cargo companies, seven ground transportation firms are also established at HIA.

Figure 3-2
Hamilton International Airport - Regional Transportation Infrastructure


Potential Mid-Peninsula Corridor
Flamborough Industrial Park
Mid Peninsula Corridor
Red Hill Creek Expressway
Stoney Creek Business Park
Ancaster Industrial Park
Hamilton International Airport
Highway 6 Extension
Airport Industrial Park
Glanbrook Industrial Park
East Mountain Business Park
Mid Peninsula Corridor
Transportation Key Map
Legend
Business Parks
Mid Peninsula Corridor proposed EA Study Area
Proposed Highway

In 2002, HIA is estimated to handle some 88,000 metric tons of inbound and outbound cargo and integrated courier shipments. This represents a more than a ten fold increase over the past ten years. Tremendous growth in air cargo including courier shipments, witnessed at HIA in the 1990s continued until the year 2000. The growth experienced in the late 1990's is attributable in large part to the major facilities opened on site by Purolator and UPS. HIA experienced a decline in air cargo traffic in 2001 similar to that witnessed in the overall industry. Tonnage in 2002 is estimated at 6.0% above 2001 levels. Other than Pearson International Airport, HIA is the dominant cargo airport in the local region. Buffalo International Airport handled some 42,000 metric tons in 2001, less than half of the volume of HIA. Niagara and London handle very small cargo volumes, which are not tracked.

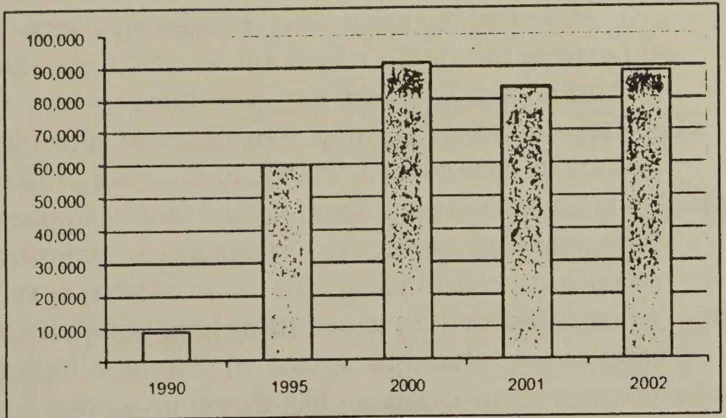
It is also worth noting that the implications for economic development may be greater with respect to integrated courier hubs, such as HIA than for pure air cargo facilities. This is because of the significant difference in the timeliness of shipments. Air courier shipments are generally lighter weight (under 200 pounds) with delivery times of under 24 hours. By comparison, air cargo shipments generally have delivery times of several days. As a result, companies that generally-rely on pure air cargo shipments do not gain a significant relative time advantage by locating in proximity to an airport. A location near to an airport for an air courier shipper, however, can make a significant difference on its ability to meet same-day orders or meet overnight or delivery cut-offs. As a result, the existence of the major integrated couriers at HIA, represent a substantial business attraction.

Growth in air cargo at HIA has achieved “critical mass”, whereby the airport can now provide necessary services to major carriers at competitive prices. With the requisite facilities now in place and the availability of 24-hour service, HIA has positioned itself for continued growth in air cargo. Figure 3-3 demonstrates the high growth levels of cargo in the 1990s.

Despite its lead in integrated courier shipments, HIA still ranks behind Pearson in terms of total cargo volume. Inbound/outbound cargo processed at Pearson Airport has been estimated at approximately 323,000 tonnes for 2001 compared to 83,000 at HIA during the same year. As development occurs on the lands surrounding HIA, however, total cargo volumes are expected to increase. In 2002, the volume handled by HIA has been estimated at 89,000 tonnes based on partial year data, representing an increase of 6%.

Medium-sized, non-hub airports may have operational advantages for cargo/courier shipments over larger airports since they often have land available to build hub operations, sort transfer operations or logistics centres. Also, medium-size airports do not have neighbouring facilities or operational constraints that can impede shipping and logistics at larger airports.

Figure 3-3
Hamilton International Airport
Historic Cargo Volumes (Metric Tons)



Note: Includes integrated courier shipments. 2002 estimate based on January to July partial year data.

International expansion for air cargo is anticipated with the completion of the runway extension to 10,000 feet in 2001. This project now enables the airport to receive almost all aircraft currently operational today, facilitating non-stop passenger and cargo service to Europe, Asia and South America.

In order to achieve this growth, however, investments must be made in airport related infrastructure, including additional taxiways and aprons and municipal servicing to airside properties and other surrounding lands.

Hamilton's Multimodal Capability

Hamilton represents a truly multimodal port given its interconnected airport facilities, highway and rail networks, and its port location on Lake Ontario.

Hamilton is served by Canada's two largest rail lines, Canadian National (CN) and Canadian Pacific (CP), through which it is well connected to the North American rail network. The principal CN line in the Hamilton Area extends along the northern portion of the City adjacent to the port lands. Switching for CN is contracted out to the Southern Ontario Railway – a subsidiary of Rail America. The CP line extends east-west through the central portion of the City with a rail yard approximately 6 kilometres north of HIA adjacent to Highway 403.

The Port of Hamilton is the busiest Canadian port in the Great Lakes system and handles approximately 13 million metric tonnes annually. The Port has good connections to both the Canadian National and Canadian Pacific lines.

Plans exist to bolster regional movement in the area through the development of the:

- Red Hill Creek Extension (linking QEW to the Lincoln M. Alexander Parkway); and,
- Mid Peninsula Corridor - a four lane (potentially toll) controlled access roadway that will link Fort Erie to Highway 407, along the top of the escarpment.

Although the vast majority of shipping at the Port is related to the steel industry, long term potential may exist for more diversified port activities to take advantage of its multi-modal facilities, including its access to the airport.

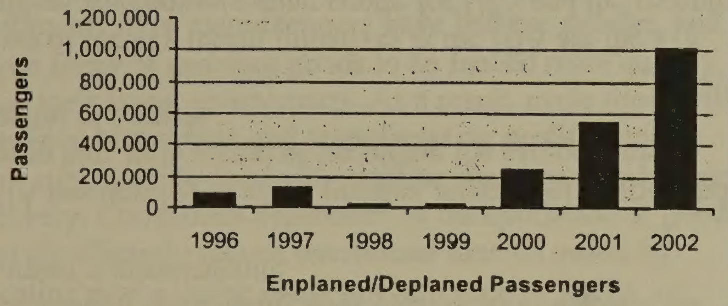
Furthermore, a joint Canadian, US initiative is underway to study the potential to upgrade the St. Lawrence Seaway for larger vessels. Hamilton could be a major beneficiary if this initiative were to proceed.

Kitty Hawk, Zantop, USA Jet and Evergreen International represent HIA's growing contingent of dedicated freighter service firms. These companies use HIA as the Canadian entry point to access domestic manufacturers and distributors.

3.3 HIA is becoming an Important Passenger Terminal

Passenger traffic at the Hamilton International Airport has grown exponentially since 1999. Forecasts for the current year indicate passenger levels will exceed one million in 2002, making HIA one of the top ten passenger airports in Canada.

Figure 3.4: HIA Passenger Growth



Note: Data for 2002 has been estimated by PwC based on January to June partial year data.

As a result of this growth, TradePort has announced plans for a four-phased passenger terminal expansion, scheduled for completion in 2006. Upon completion, the airport will contain 15 gates and have capacity to handle 5 million passengers annually. The airport's vision is to develop into Canada's fifth largest passenger gateway airport, while maintaining its position as Canada's top ranked specialty cargo airport.

By comparison, Pearson Airport handled 28.0 million passengers in 2001 and Ottawa International Airport totalled 3.4 million passengers during the same period. Within the Niagara/South Western Ontario market, Hamilton ranks only behind Buffalo International Airport in passenger volume which served some 4.4 million visitors in 2001. Niagara Falls and London airports handled some 20,000 and 340,000 passengers respectively in 2001.

3.4 HIA's Growth has Exceeded Expectations

HIA has enjoyed tremendous success since its privatisation, recording unprecedented levels for passenger service and cargo shipments. It has also attracted substantial investment by both the private and government sectors.

Since 1995, almost $80 million has been invested on the airport site itself and another $33 million has been committed by the Provincial Government for the extension of Highway 6 to provide direct expressway access to the airport. This investment exceeds the total value of industrial construction in any single year in the City of

Hamilton and in many years exceeds the total value of industrial and commercial construction combined.

TradePort has invested over $15 million in 2002 and over $25 million since taking over operations to upgrade the Airport's infrastructure.

HIA has developed into a premier intermodal courier and cargo hub, with a goal of becoming the cargo/courier capital of Canada.

Two of the key recent initiatives at the HIA are the $18 million warehouse/sorting centre for UPS and the recently completed $6 million 90,000 square foot Purolator Courier Air Hub and Sort facility, which is Canada's largest courier air hub. HIA has also benefited from the recent construction of a 37,000 square foot hangar by Kelowna Flightcraft Ltd.

Hamilton is considered one of UPS' "gateway airports" and its technology intensive cargo handling facility and aircraft parking apron is the company's largest Canadian installation. Canada's market leader and largest fully integrated courier company - Mayne Logistics Loomis also operates at Hamilton Airport.

FedEx also indicated that they project a doubling in their volume of shipments at HIA over the next five years, which would require a facility twice the size of the one currently existing at the airport.

Scheduled to commence in October 2002, WestJet plans to build a 60,000 square foot hangar and apron facility. This is a $9 million investment to facilitate their recently initiated service to Eastern and Western Canada.

It is anticipated that other airlines may operate discount carrier service at HIA as a competitive response to WestJet, and that complementary service will be introduced from HIA into a major US hub.

Orlick Industries has completed a purchase of two strategic parcels, including a 53-acre site on Highway 6 immediately east of the airport in the business park and a 75-acre parcel further south at Homestead Drive and Airport Road. Orlick intends to build a 200,000 square foot auto parts manufacturing facility at the business park location, with a longer term vision of attracting distribution and airport related uses on the excess lands.

Cargo Jet proposes to build a 50,000 square foot multi-cargo tenant facility in the spring of 2003.

In summary, the airport has experienced an unprecedented development boom. With the opening of Highway 6, the focus will be on the surrounding lands.

3.5 Cargo Airports are Essential to the Needs of the New Economy

Today's highly competitive global market has created an unprecedented requirement that goods be delivered with speed and dexterity. Airport proximity is an essential component of this requirement. Trends such as e-commerce, supply-chain management, just-in-time delivery, and consumers' increasing preference for made-to-order products have all created a demand for guaranteed, time sensitive delivery. Although cost and quality are still necessary, success requires that products are rapidly developed, marketed and delivered to the consumer.

The burst of the dot-com bubble has reduced previous growth forecasts for e-commerce. However, this innovation has changed the way goods are moved between suppliers and customers. Business-to-business and business-to-consumer transactions over the Internet have a significant influence on transportation. Flexibility and speed of transactions using e-commerce removes large amounts of time from the production and distribution process. The required speed of meeting customer orders places a huge burden on logistics of distribution.

One outcome of e-commerce transactions is that shipments from manufacturers have become smaller, and more frequent enabling goods to be moved more quickly than their larger counterparts. As a result, cycle times will continue to decrease and manufacturing profit margins will subsequently increase, enabling more investment into delivery. Companies dependent on transportation of goods can significantly reduce turnaround time on orders by locating near a major integrator hub such as FedEx, or UPS. Faster processing can occur by receiving parts via the integrator facility and then assembling and shipping the products through the integrator. Many computer manufacturers take advantage of this process with FedEx including Dell, Apple Computer and HP Compaq.

Another factor driving the cargo boom is the increasing reliance on air cargo by Fortune 500 firms. A shift is occurring with these firms that no longer want to carry large inventories. They are now carrying short inventories and relying on the assurance of delivery times from carriers. Fort Worth Alliance Airport and its surrounding lands contain 33 Fortune 500 firms who are capitalising on these trends.

A review of major U.S. cargo airports indicated that airport locations, including their surrounding industrial lands have experienced significant industrial construction activity. Recent market reports indicate that lands located in close proximity to airports are attracting among the highest average lease rates in the surrounding market. There are a number of reasons for the growing importance of airport proximity in the industrial and office markets. The airport real estate market has drivers similar to the air cargo market:

- Globalisation of commerce,
- Growth of knowledge economy,
- Sophistication of supply chain management, and
- Consumer e-commerce-related demand.

Globalisation of commerce increases the prominence of trade bloc and global linkages. Companies can expand their sourcing of components and sub-assemblies in developing countries to reduce production costs. Savings on production can then be applied to express transport goods to assembly locations in North America. The globalisation of production combined with just-in-time inventory management strategies will create vast opportunity for firms involved in shipping and logistics.

Supply chain management systems optimise the relationship among facility and inventory costs and just-in-time or enterprise resource planning systems. Increasingly, optimised systems have high value ratio products stored centrally and shipped via air cargo.

"Knowledge economy" items include high tech, electronics, medical, biological, and professional, legal and financial products. These generally have a higher value to weight ratio making them ideal for air shipment. As mentioned previously, consumer-driven growth of e-commerce has increased demand for faster shipping. Firms requiring faster turnaround times on customer orders pay premium rents to be near airport distribution facilities.

This increased pressure to reduce sourcing, production and delivery times requires that firms strategically locate and consolidate their operations – from acquiring the raw materials to delivering the finished goods. This new reality has pushed airports to the forefront.

3.6 The Lands Surrounding HIA Represent a Major Economic Development Resource

Interest in the lands surrounding HIA is developing on a number of fronts.

TradePort's Master Plan

Since HIA was privatized in 1996, the owners have been guided by a 3,500-acre Master Development Plan for the airport and its surrounding lands. As indicated on Figure 3-5, the major land use components include a significant acreage reserved for firms requiring direct airside access, perimeter lands for other airport related activities, as well as longer term lands reserved for future development of terminal facilities and additional commercial/industrial activities.

The primary focus of the master plan, apart from direct airport activities is to attract transportation and logistics firms, distribution centres, warehousing and other firms requiring superior air and highway service

As has been the experience at US cargo airports, the attraction of these activities is expected to attract other industry clusters, such as pharmaceutical distributors, computer assembly firms, electronic component manufacturers, e-commerce companies and optical suppliers among others. Individual firms within these clusters may, but not necessarily, have a relationship with the transportation and logistics activities.

TradePort's long-term vision is for an extensive airport city or "aerotropolis" extending well beyond the local area comprising a wide range of commercial activities, industry clusters, tourism and hospitality services, and other uses with a central focus around the airport as a transportation hub.

The City of Hamilton Planning Initiatives

The Study Area comprises just under 6,000 acres surrounding the airport (see figure 3-7). Some is part of the previously designated Airport Industrial-Business Park, a small part comprises special policy areas, while the bulk is still designated agricultural with no status for airport or industrial development.

The following describe the major components currently under consideration by the City for future airport related development, which are depicted in the accompanying map.

Lands existing within the Airport Industrial-Business Park extend from the hydro corridor to Airport Road West generally on the west side of the existing Highway 6. These lands comprise approximately 700 acres and are designated under four categories in the Airport Industrial-Business Park Secondary Plan: Airport-Related Prestige Industrial, Airport Related Commercial, Airport-Related Business, and Airport-Related General Industrial. The first three categories generally have frontage along Highway 6, while general industrial lands have been allocated for interior parcels, including most of the lands directly abutting the airport.

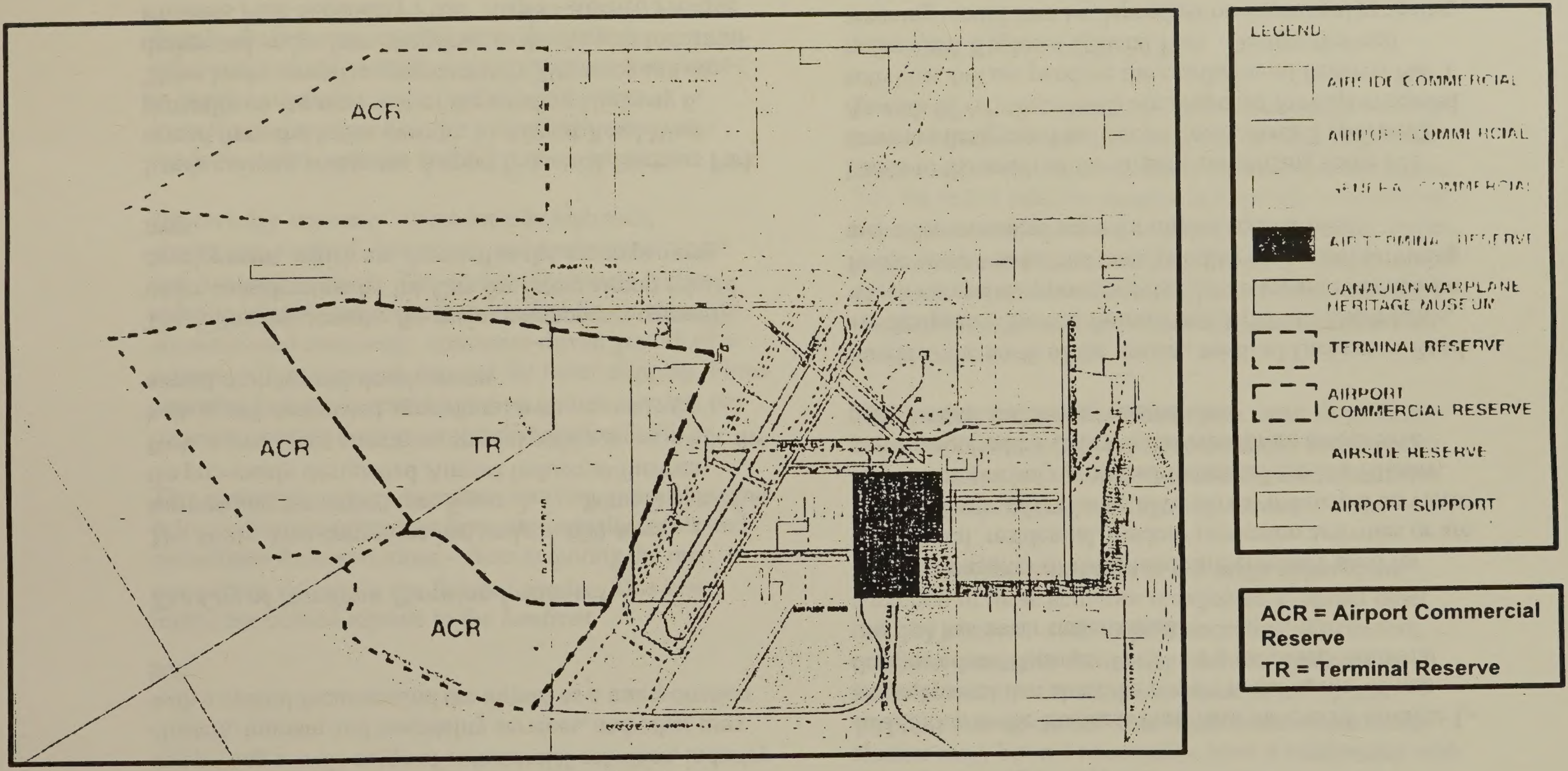
In addition to the Business Park land there is an 80-acre L-shaped parcel that abuts the airport to the north. It was designated as "Business Park" for a proposed industrial use that has never materialized.

The vast majority of these lands are currently used for agricultural, residential, outdoor recreation activities or are vacant. Some of the lands have partial municipal services. At present, the only proposed industrial use is a 53-acre parcel acquired by Orlick Industries for an automotive parts facility and airport related uses.

Lands to the north of the airport, south of Dickenson Road are designated Special Policy Area 1 (SP1). These lands, which comprise approximately 258 acres, are intended for future airport industrial uses, pending municipal servicing and a demonstrated need for airport related uses.

Lands to the south of the airport, comprising some 323 acres are designated as Special Policy Area 2 (referred). As with SPA1, these lands are proposed for airport related activities, but are pending the resolution of Referral No. 1 to the 1995 Regional Official Plan. Designation and rezoning would then be dependent on municipal servicing and the completion of the Highway 6 extension from Highway 403 to Whitechurch Road, just south of the airport. Orlick Industries has acquired a 75-acre parcel in this area for future airport industrial uses.

Figure 3-5
Hamilton International Airport Master Plan


ACR
ACR
TR
ACR
LEGEND
AIRSIDE COMMERCIAL
AIRPORT COMMERCIAL
GENERAL COMMERCIAL
AIR TERMINAL RESERVE
CANADIAN WARPLANE HERITAGE MUSEUM
TERMINAL RESERVE
AIRPORT COMMERCIAL RESERVE
AIRSIDE RESERVE
AIRPORT SUPPORT
ACR = Airport Commercial Reserve
TR = Terminal Reserve

Both special policy areas are presently occupied by residential and agricultural activities.

To the north of SPA1, north of Dickenson Road is an area that has been deferred as part of the 1995 Regional Official Plan comprising some 790 acres. The deferral relates to requests submitted during the preparation of the Official Plan to bring the land into the Urban Area Boundary for either Urban (e.g. residential) or Business Park land uses. A subsequent deferral request was submitted to the Ministry of Municipal Affairs and Housing, and no decision on the matter has been made since. Consequently, the lands are still designated Rural and are outside of the urban boundary, as are other lands in the study area to the west. Resolution of the deferral status should be careful not to affect future operations at the airport or airport related development opportunities

To the west of the airport are 4,400 acres (3,700 acres net of woodlots) that is an area of interest to the City but has no planning status related to the airport. These lands are also significant in that they also include the future Highway 6 expansion and potentially the proposed Mid-Peninsula Corridor, which may offer potential for higher-order commercial and industrial uses. A portion of these lands (approximately 1,000 acres) have been identified in TradePort's Master plan as Airport Commercial Reserve and Airport Terminal Reserve (i.e. for longer term airport related activities). These lands are still predominantly under private ownership, rural in character, and designated Rural in the Regional Official Plan.

The following table summarizes these potential airport development related lands:

Figure 3-6
Potential Airport Development Lands

Land Category	Approximate Size (Acres)
Designated Business Industrial Park [1]	700
L-Shaped Industrial Site[1]	80
Special Policy Area 1	258
Special Policy Area 2	323
Deferred from 1995 Official Plan	790
Area of Interest (No Status)	3,700
Total	**5,851**

1) Area designated as Business Park in the Study Area

Private Land Speculation

With the pending completion of Highway 6, the extensive investment made in the airport, the prospect of municipal servicing, and the lack of green field industrial lands in Hamilton, land speculation is already occurring. This is taking the form of acquisitions by investors and historic rural landowners holding out for inflated land prices.

As we understand from discussions with landowners and real estate brokers, interest exists for both industrial-commercial and residential development.

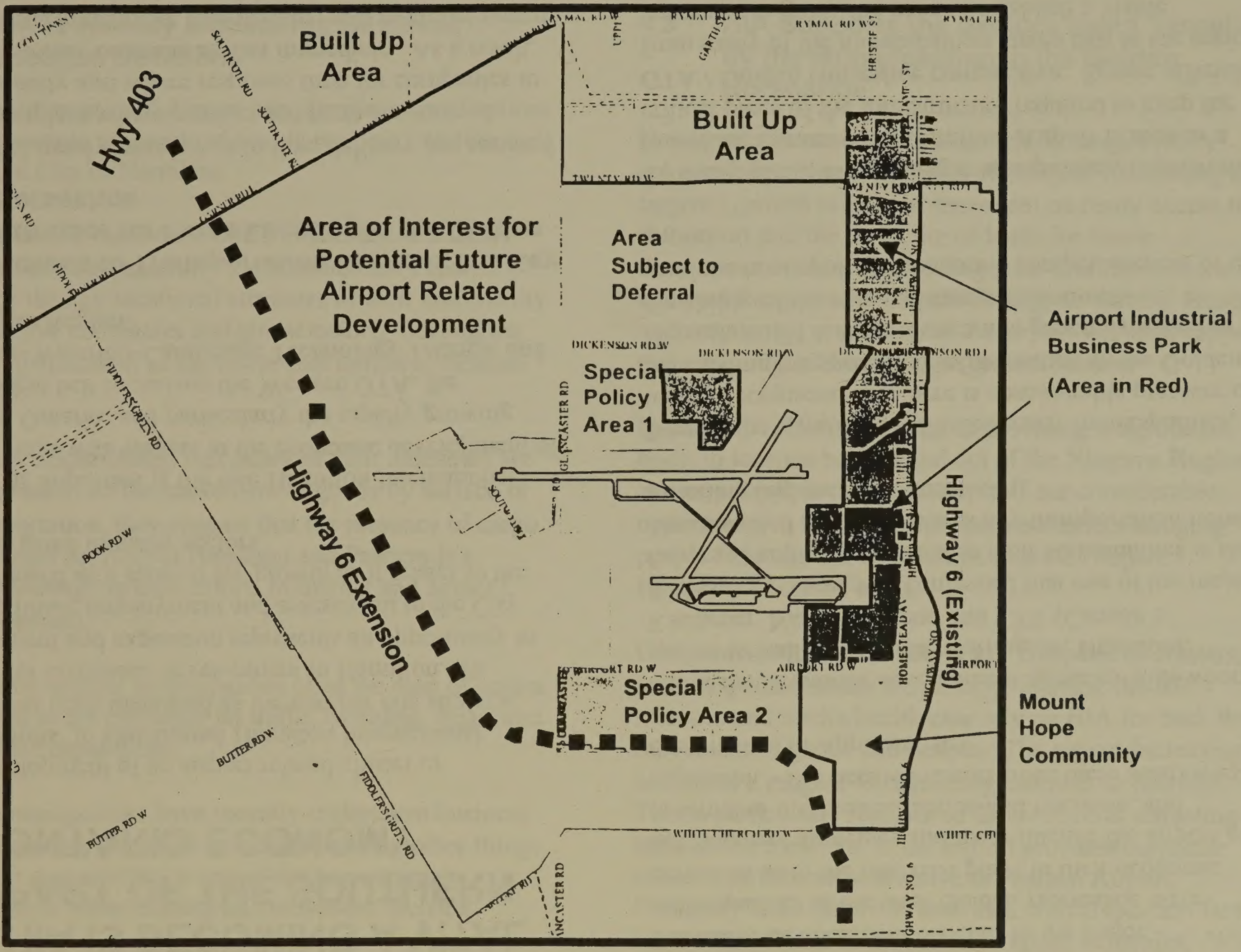
There are two aspects to land speculation that must be considered. On the one hand, land speculation is a strong sign of demand in the vicinity of the airport. One landowner referred to the airport as one of the City's "Crown Jewels", and an economic engine for Hamilton's future. There is little doubt that the development of the lands around the airport has gone well beyond the visionary and long-range planning stages and is fast approaching realization.

Land speculation, however, also represents a threat to planned growth. First, by driving up land prices, it becomes more difficult for the City to attract new businesses to the area, particularly those that require extensive amounts of land and may have cost constraints. The ability to offer inexpensive serviced industrial land is a significant economic development tool. To the extent that Hamilton will be competing with US jurisdictions with the ability to provide property tax holidays, below market value municipally owned lands, and other incentives, local land speculation will reduce the competitiveness of the airport lands.

Finally, as land values and expectations increase, there is likely to be increased pressure for residential uses, which may not only erode the long term supply of airport industrial lands, but also pose a threat to continued 24/7 airport operations.

In summary, HIA is well positioned to attract significant growth due to its strategic location and fit with the needs of businesses in the 21st Century. Development pressures are already being experienced. The onus will be on the stakeholders to ensure that land development occurs in a manner that respects the economic potential of this valuable resource.

Figure 3-7
Lands Surrounding Hamilton International Airport


Built Up Area
Hwy 403
Area of Interest for Potential Future Airport Related Development
Built Up Area
Area Subject to Deferral
Special Policy Area 1
Airport Industrial Business Park
(Area in Red)
Highway 6 (Existing)
Highway 6 Extension
Special Policy Area 2
Mount Hope Community
RYMAL RD W
CHRISTIE ST
DICKENSON RD W
AIRPORT RD W
HOMESTEAD AV
HIGHWAY NO 6
WHITE CHURCH RD W
GLANCASTER RD
SOUTHCOTE RD
FIDDLERS GREEN RD
BOOK RD W
BUTTER RD W
TWENTY RD W

PRICEWATERHOUSECOOPERS

4.0 HIA IS BECOMING A VITAL PART OF THE SOUTHERN ONTARIO ECONOMY

The development of an airport related cluster or 'aerotropolis' in and around Hamilton International Airport has been identified as the number one strategic priority for economic development in Hamilton. Its development and expansion represents an opportunity to increase future employment and assessment to the City and is viewed as a catalyst for growth as it relates to the City's targeted industry sectors.

Equally as important is the role Hamilton International Airport plays with respect to the economic development of Southern Ontario, and particularly the rapidly growing employment belt including the Western GTA, the Kitchener-Waterloo-Cambridge Technology Triangle and the Niagara Region.

4.1 Access to Transportation Services is a Key Attractor for Firms Locating in the Golden Horseshoe

The global trend towards just-in-time delivery has resulted in a marketplace where product and parts are sourced internationally and where response time for companies to satisfy customer orders is almost immediate. As a result, direct access to national, international and intercontinental transportation routes is essential.

Economic development officials in the major municipalities in the west Golden Horseshoe were consulted as to the role HIA plays in their economic development strategies and the influence the airport exerts in terms of business attraction and retention, and expansion. The detailed results from these interviews are documented in Appendix A.

All of the Economic development agencies with whom we spoke, including Oakville, Burlington, Brantford, Kitchener, Niagara Region and CTT (Canada's Technology Triangle)[1] confirmed that one of the major factors affecting investment in their communities is the demonstrated ability to access key transportation networks including highway, rail and air.

Despite the advantages afforded many municipalities, it is widely recognized that there is considerable pressure on the existing transportation infrastructure in the Golden Horseshoe/ GTA area. Concern is generally raised as to the ability of the existing transportation network to continue to support the economic competitiveness of the region.

To many of the surrounding municipalities, improvements to and the expansion of Hamilton Airport is seen as a critical piece of the infrastructure required to keep the GTA / Golden Horseshoe competitive. Senior officials from many of the municipalities stated that as the region continues to grow, the need to establish a viable alternative to Pearson for the movement of goods and people will become critical.

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[1] Canada's Technology Triangle is a marketing partnership comprised of Kitchener, Waterloo and Cambridge.

4.2 HIA is Already Influencing Business Location Decisions

Hamilton International Airport has significant implications on the economic prospects of a wide region extending well beyond the City of Hamilton.

Municipalities around the Golden Horseshoe routinely market access and proximity to Hamilton and Pearson airports as the key locational attributes of their community to prospective companies and site selectors. Several are positioning Hamilton as the lower cost option to Pearson or Buffalo.

While they acknowledge that many of their industries are more dependent on the movement of goods by surface or rail transportation, they suggest that the presence of cargo and passenger services at Hamilton and Pearson is a critical advantage in their efforts to market and attract local investment.

In particular several municipalities cited the ease of access as it relates to the corporate jet traffic including repair and maintenance capabilities.

Several municipalities have recently undertaken business and industry surveys which concluded among other things that airport accessibility is one of the key corporate considerations when making an investment decision – HIA is seen as a significant advantage to attracting investment in the western GTA.

4.3 HIA Supports the Sectors being Targeted by the Municipalities in the Golden Horseshoe

Hamilton's Economic Development Strategy readily acknowledges that the growth of many of its existing and targeted growth sectors is dependent on ready access to the airport and the servicing of lands for future development in the surrounding area. Our discussions with many of the areas municipalities suggest that the presence and anticipated expansion of the airport will also support their ongoing efforts to target growth sectors.

In particular, HIA is viewed as providing a significant boost to tourism both in and out of the **Niagara Region**. Senior economic development staff see considerable opportunity to establish and operate charters bringing people from the US and Europe into the Niagara / Hamilton / Toronto areas.

Companies within **Oakville's** key competitive clusters, including information technology, tourism, the life sciences and media/health care rely on HIA for both the movement of goods and people. The airport increasingly is seen as a magnet for attracting business to Oakville. This is particularly relevant to their efforts at attracting head office locations as the airport provides corporate executives with an alternative to Pearson Airport. Proximity to an airport is seen as a critical location factor for **Burlington** in its attraction of target industries. While cost factors such as property and facilities, taxes and the supply of key inputs are important variables in an investment decision, higher valued companies are looking more closely at issues, such as telecommunications, availability of labour and access to airports. Highway infrastructure, traffic flow and airport access and service are seen as Burlington's competitive advantage over other jurisdictions.

Figure 4-1 identifies Hamilton's target industry sectors together with those of the other major municipalities around HIA. Not surprisingly, many of the industries identified are being targeted by several communities. Some of the most common include:

- Metal processing;
- Fabrication;
- Machining;
- Advanced manufacturing;
- Information technology; and,
- Film/media/entertainment.

Some such as Tourism (Niagara) and Agribusiness (Hamilton and Niagara) reflect particular local characteristics. It is interesting to note that Brantford is the only community reviewed that specifically targets warehousing and distribution, which is an important part of the activity around cargo airports. While the sectors noted in Figure 4-1, in general, do not necessarily rely on air transportation, there are key sub-sectors within them that either have a heavy dependence on air transportation or for which proximity to an airport can be a significant competitive advantage.

Figure 4-1: Municipal/Regional Target Sectors

	Hamilton[1]	Oakville	Burlington	Brantford	Niagara	CTT[2]
Financial Services			✓			
Metal Processing / Fabrication / Machining	✓		✓	✓		✓
Robotics			✓			
Tourism		✓			✓	
Regional & Head Offices		✓				
Life sciences / Health Care	✓	✓				
Media / Enter.	✓	✓				
Advanced Mfg.	✓				✓	✓
Automotive	✓					✓
Information Technology incl. Software Devlpt.	✓	✓	✓			✓
Call Centres				✓	✓	
Warehousing Dist.				✓		
Food Processing	✓			✓		
Plastics				✓		
Agri-business	✓				✓	

For example, airfreight is an essential part of the advanced machinery-manufacturing sector to ensure minimal delays in the assembly processes of their customers. Film and media editing facilities frequently cluster around airports to facilitate film production schedules. The transportation of perishable food and other agriculture products relies on airfreight. Within the biotech sector are labs and testing facilities that rely on time sensitive shipments. As a result, HIA is well situated to support the target sectors important to the surrounding region.

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[1] Hamilton's stated targets include Industrial Manufacturing (shown as metal processing/fabrication/processing; advanced manufacturing and automotive); Agribusiness (including food processing); Health and Biotechnology (shown as Life Sciences and Health Care); Information and Communication Technology; and, the Film Industry.

[2] CTT=Canada's Technology Triangle consisting of Kitchener, Waterloo and Cambridge.

4.4 HIA Enhances the Investments Being Made at Pearson International Airport

Pearson International Airport is currently undergoing a $4.4 billion expansion, representing one of the largest infrastructure projects in recent Canadian history.

Hamilton Airport supports this investment by offering services and overflow capacity that cannot be handled at Pearson. Specifically, its 24/7 cargo capability, which is unavailable at Pearson, provides the opportunity for the major integrators such as Purolator, FEDEX and UPS to provide uninterrupted service to the GTA.

Furthermore, HIA accommodates service by a number of discount airlines that would be difficult at Pearson due to gate availability, cost and commitments to other airline tenants.

Finally, as an airport within a heavily urbanized area, Pearson is increasingly facing issues related to community impacts. HIA has the opportunity to take on Pearson's overflow traffic, particularly during peak periods.
The ability of Hamilton to provide these services reduces the pressure on Pearson enabling the Greater Toronto Airports Authority to concentrate on its primary mandates.

4.5 The Lands in the Vicinity of HIA are Strategically Positioned to Support Regional and Provincial Economic Growth Targets

As noted earlier, the growth of an airport related cluster in and around Hamilton International Airport has been designated the top priority in the City's approved Economic Development Strategy. As such, this project is a guiding objective in decisions affecting the future of Hamilton. Development of the lands surrounding the Airport represents an opportunity to increase future employment and assessment and is viewed as a catalyst for growth as it relates to the City's targeted industry sectors.

Beyond the more direct opportunities that may be afforded to the City of Hamilton, these lands are strategically located to satisfy a much broader range of regional and provincial economic growth targets. Many municipalities in the GTA / Golden Horseshoe area of Southern Ontario are facing diminishing green field development options and are having to consider brown fields re-development in order to satisfy demand for industrial / employment land. In addition, the continuing demand for large parcels (>10 acres) of serviced industrial land has had the effect of quickly reducing available inventory in many municipalities or has resulted in municipalities being passed over for investment opportunities because they can't supply or provide suitable sites. This has left municipalities scrambling to introduce additional serviced lands. In some instances, this has meant having to encourage land developers to consider more speculative development or in the instances where the municipality is the primary developer of having to regularly purchase and service additional lands. The dilemma that many of the municipalities face in response to the growing demand is how to predict the changing nature of demand for employment lands.

The lands in the vicinity of the airport are strategically positioned for a number of reasons.

- ✓ Well positioned to support businesses that handle intercontinental traffic of goods and people;
- ✓ Well positioned to support companies that have 7/24 operational requirements;
- ✓ Ability to support time sensitive industry sectors and sub-sectors such as – Warehousing and distribution of computer hardware & software, electronics, telecommunications equipment, auto parts, apparel, perishables, or film post production activities;
- ✓ Provide ready access to major US/Canada markets and transportation corridors;
- ✓ Strategically situated to support tourism in the Niagara Region;
- ✓ Opportunity to provide for a wide range of lot size and development settings;
- ✓ Opportunity to be more cost competitive than the more developed areas of the GTA;
- ✓ Completion of Mid-peninsula corridor; and Highway 6 expansion will further enhance these trade links.

It is also important to recognize that the development of the lands around the airport for industrial and related uses will expand and solidify the future market for HIA. As such, the lands in the vicinity of HIA should be treated as an intrinsic part of the commitment to the airport by the City, the Province and other stakeholders.

4.6 HIA is Strategically Positioned to Serve Future Growth in the GTA and Surrounding Communities

Figure 4-2 outlines the current and projected population for the municipalities comprising Central Ontario, a region defined by Ministry of Municipal Affairs and Housing as part of its Smart Growth initiative. This region extends from Northumberland County to Niagara and includes the GTA/Niagara and surrounding area.

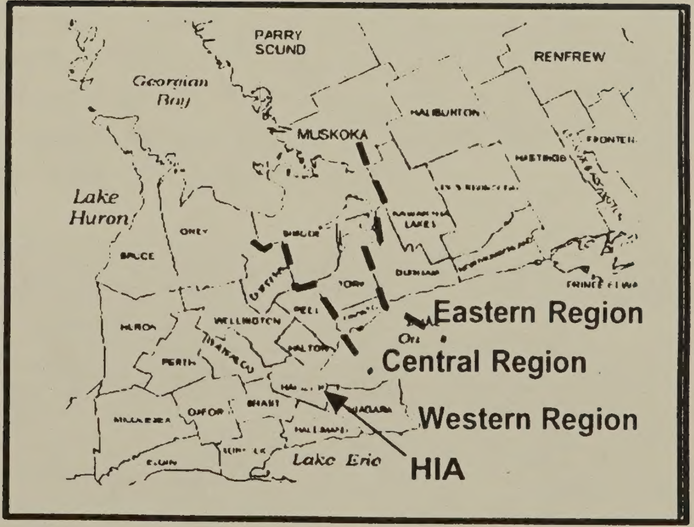
As indicated by Figure 4-2, the vast majority of existing population and future growth in the GTA and surrounding region will be occurring in the western and central municipalities. Based on projections proposed by the Ministry of Finance for the Province's Smart Growth initiative, the western municipalities including Hamilton, will attract the largest share of growth in Central Ontario over the next 20 years. In fact, by 2021, the western municipalities, for most of which HIA will be the closest international airport, will comprise over 44% of the Central Ontario population compared to only 13% for the eastern communities. In fact, by 2021, the western portion of Central Ontario, extending from Peel Region to Niagara, would have a population of 4.4 million, which would today make it one of the 10 largest metropolitan areas in North America.

In summary, the municipalities surrounding Hamilton International Airport form a major metropolitan system and with a growth rate of about 30%, will accommodate the largest single concentration of new population in the province over the next 20 years. In other words, HIA is strategically located where the bulk of the region's new growth will occur and in proximity to the largest share of existing development in the region.

The economic implications of the development of HIA and surrounding lands extend over the entire Golden Horseshoe. Although HIA is a top priority for the City of Hamilton, as a catalyst for development within the largest economic region in Canada, it is also of considerable significance to the Province and the Country as a whole.

Figure 4-2
Central Ontario Population Growth by Region

	Census 1996	Census 2001	Projected(1 2021	Growth 1996-01	Growth 2001-21
East					
Durham	458,616	506,901	784,700		
Haliburton	15,321	15,085	19,100		
Kawartha Lakes	67,926	69,179	99,500		
Northumberland	74,437	77,497	110,500		
Peterborough	123,448	125,856	150,200		
EAST TOTAL	**739,748**	**794,518**	**1,164,000**	54,770	369,482
East as a % of Total	*10.6%*	*10.5%*	*11.2%*	*9.2%*	*13.0%*
Central					
Simcoe	329,865	377,050	589,200		
York	592,445	729,254	1,220,200		
Toronto	2,385,421	2,481,494	2,994,900		
CENTRAL TOTAL	**3,307,731**	**3,587,798**	**4,804,300**	**280,067**	**1,216,502**
Central as a % of Total	***47.6%***	***47.5%***	***46.2%***	***47.0%***	***42.7%***
West					
Dufferin	45657	51013	74,300		
Peel	852526	988948	1,587,600		
Halton	339875	375229	588,200		
Wellington	171406	187313	248,000		
Waterloo	405435	438515	587,900		
Hamilton	467799	490268	580,100		
Brant	114564	118485	155,300		
Haldimand	102575	104670	129,900		
Niagara	403504	410574	477,900		
West Total	**2,903,341**	**3,165,015**	**4,429,200**	**261,674**	**1,264,185**
West as a % of Total	***41.8%***	***41.9%***	***42.6%***	***43.9%***	***44.4%***
CENTRAL ONTARIO TOTAL	6,950,820	7,547,331	10,397,500	596,511	2,850,169


PARRY SCUND
RENFREW
Georgian Bay
HALIBURTON
MUSKOKA
Lake Huron
BRUCE
GREY
DURHAM
YORK
PEEL
WELLINGTON
HURON
PERTH
Eastern Region
Central Region
Western Region
Lake Erie
HIA

SOURCE: Central Region Geography based on Ministry of Municipal Affairs Smart Growth Zones. [1] 1996 and 2001 Population data based on Census of Canada. 2021 Projection based on 2000 Ministry of Finance Assessment Projections adjusted by PwC to reflect the Census population.

5.0 AIRPORT COMMUNITIES ARE MAJOR ECONOMIC ENGINES IN THE UNITED STATES

5.1 General Trends In Airport Development

Efforts to speed efficiency of cargo distribution have lead to the provision of several key services at airports and on their surrounding lands. The clustering of manufacturing, warehousing, and distribution firms at airports and their surrounding industrial sites further necessitates the capability to distribute products in an efficient and cost-effective manner. Based on a review of major U.S. cargo airports, typical facilities and business types found at these sites and their surrounding lands include the following:

- Regional integrator operations, such as FedEx, or UPS,
- On site customs brokers,
- Freight forwarders,
- Warehousing and distribution firms,
- Advanced manufacturing firms,
- Inspection services (e.g., agriculture),
- National trucking and/or rail hubs.
- Office and Retail Centres and associated services.

In addition to the facilities and businesses listed above, typical infrastructure and/or operational requirements for business park tenants include the following:

- 24-hour, 7-day operations – Airports that do not provide flexible operating hours for air cargo are limiting their appeal and subsequently their potential of becoming a major distribution hub.

- Direct Taxiway Access for airport businesses,

- Free Trade / Foreign Trade Zones (FTZ's) – refer to commerce sites (industrial sites, buildings) set up in or near U.S. Customs ports of entry where goods are considered legally outside U.S. Customs territory. In Canada, the legislation is different, and essentially enables individual companies to apply for status similar to those of US firms operating in an FTZ.

- Large parcels of serviced, available industrial land to enable construction and/or expansion of shipping and logistics-related facilities.

Public and Private Sector Co-operation

In airport development, cooperation among a combination of groups such as Airport Authorities, local government agencies (including economic development offices) and private sector representatives is a recurring theme. These organisations commonly work together or form partnerships to market advantages of airport proximity for businesses, and target industry sectors to establish operations at or near airports. Typically these organizations offer a number of incentive packages to attract companies.

Based on a review of U.S. cargo airports, economic incentive packages that could be offered to establish and/or expand air cargo operations might include the following:

- Various tax credits and exemptions;
- Employee training credits;
- State income tax exemptions;
- Property tax incentives;
- Government subsidization of large-scale facilities and infrastructure;
- Federal exemption from certain air cargo regulations;
- Various state incentives for work force development and facility improvements; and,
- Conduit financing for capital projects and favourable rates and leases from the local airport authority.

In Ontario, two new programs have been announced by the Provincial Government that may enable Hamilton to more effectively compete with the U.S. jurisdictions for the development of lands surrounding HIA.

Opportunity Bonds are debt financing instruments that enable municipalities to raise capital for infrastructure. The principle behind the bonds is that investors receive a tax exemption on the interest, thereby enabling the municipalities to offer them at lower interest rates. This program is currently at the consultation stage to allow the Government to develop further details with regards to implementation.

Tax Incentive Zones, which work similar to “Enterprise Zones” in other jurisdictions are intended to provide certain tax exemptions for companies locating in areas targeted for community renewal, the regeneration of abandoned industrial sites or for public investment that could attract value added industries. As with Opportunity Bonds, the Tax Incentive Zone program is at the consultative stage, however, the Provincial government is seeking six pilot municipalities. The City has made application to the province for a Tax Incentive Zone pilot project focused on the development lands proximate to the Hamilton International Airport.

The Importance of Integrator Operations

In many instances, attraction of a major integrator such as FedEx, UPS, or DHL plays a vital role as a catalyst to attract additional firms that rely on time-sensitive delivery of goods. This situation occurred at Memphis, the headquarters of FedEx, as well as Indianapolis, which is considered its second national hub. Substantial economic activity has been generated in these two hub cities, attributable in part to the presence of the FedEx hubs. The national hubs at Memphis and Indianapolis sort packages intended for shipment to a city outside of the region where they originate. In addition to its national hubs, FedEx operates a number of secondary hubs, such as Piedmont Triad Airport, that sort packages destined for the local or regional market.

In Indianapolis, the FedEx operation was originally intended to alleviate pressure on the Memphis facility; however, rapid expansion in the mid-1990s required the creation of a larger hub that will eventually have a capacity nearly equal to the Memphis facility. Originally, the Indianapolis FedEx site was purchased from Purolator Courier in the mid-1980s, so there was no major initial investment subsidy or incentives from state officials. However, the expansion in the 1990s involved extensive support of state and local government officials, typically through means of infrastructure improvements. Following expansion, FedEx employed 3,500 employees. It is anticipated that similar success will be attributable to the development of a FedEx facility at Piedmont Triad International Airport in North Carolina.

Transportation and Land Use Development Trends

Realising the enormous growth potential for air cargo, Airport authorities are setting aside large tracts of land in anticipation of future requirements. Airports that have successfully developed airport lands have been proactive in securing and zoning additional land parcels to accommodate expected future growth.

Low shipping costs and extensive highway networks have resulted in heavy reliance on surface transport for cargo distribution by trucking carriers in North America. This trend is projected to continue for the foreseeable future, resulting in higher potential for air cargo in other markets outside North America that lack similar highway infrastructure (e.g., Asia). Despite the operating advantages and convenience offered to firms near to airport locations, firms typically require a multi-modal hub, since most rely on more than one means of shipping. Airports often serve as the anchor of industrial park development at multimodal hubs and are a key part of marketing efforts.

Once established as a multimodal distribution hub, many airports are integrating other types of uses to attract clusters of similar users. In some cases, complexes containing a diverse range of uses such as information technology, retail, service, residential, recreation and educational institutions are established as the airport grows and attracts supporting industries and facilities. The AllianceTexas project located near Fort Worth, Texas is a prime example of this type of development. Six unique development sectors have evolved at this project and include an industrial area, a business complex, an intermodal hub, and an advanced technology centre. In this instance, these development sectors were part of the overall development plan for the airport and its surrounding lands.

While most airports cannot offer the planning scale and the diversity of firms found at AllianceTexas, there is a trend for airports to link together business, service and/or technology centres with other airport lands, or use airport industrial developments as a foundation to link other employment and service uses in and around airports.

The Changing Nature of Shipping and Logistics

The shipping and logistics sector is not a static industry. Rapid changes in electronic commerce, global trade, high value industries and supply chain management strategies will continually alter the methods of production and provision of services. Reflecting these advances, the means by which goods and services will be delivered to consumers will have direct impacts on shipping and logistics.

Airport-related developments at three major U.S. cargo airports are outlined below. Each of the airports represents the successful attraction of a major integrator and the benefits that can be reaped from effective planning and marketing for cargo airports.

5.2 Dallas-Fort Worth Alliance Airport – Private Investment Stimulates Rapid Growth

AllianceTexas is a master planned business community comprising some 15,000 acres centred around Fort Worth Alliance Airport. The project was conceived by Ross Perot Jr., founder of Hillwood Development Corporation, the real estate development and investment firm responsible for AllianceTexas.

AllianceTexas is divided into three phases:

- **Circle T Ranch** – A 2,500 acre master planned community including a golf course and recreation community, a 1.6 million square foot retail project, and 800 acres of corporate campuses and office sites. Circle T Ranch is some 6 kilometres from Alliance Airport

- **Heritage (Future Development)** – a 2,300 acre "wired" residential community with a 10-acre recreation centre, about 7 kilometres from Alliance Airport.

- **Alliance** – A 9,600 acre manufacturing, trade and logistics centre developed around Fort Worth Alliance Airport. The components of Alliance include:
  - ➢ ***Fort Worth Alliance Airport*** – An industrial (cargo exclusive) airport owned by the City of Fort Worth and managed by Alliance Air Services, a subsidiary of Hillwood.
  - ➢ ***Alliance Center*** – A business complex predominantly made up of air-related companies.
  - ➢ ***Westport at Alliance*** – Incorporates 1,500 acres surrounding the Burlington Northern Santa Fe (BNSF) main north-south line and its associated Intermodal Hub Centre.
  - ➢ ***Alliance Crossing*** – A business and service area for Alliance residents and employees located on 170 acres along Interstate 35W and Westport Parkway.

- ***Alliance Gateway*** – Located on the eastern section of the Alliance complex, this 2,400-acre area offers access to Union Pacific Railroads north-south line, as well as, Fort Worth Alliance Airport and Dallas-Fort Worth International Airport.

- ***Alliance Advanced Technology Center*** – Intended to serve as a high technology corridor with access to nearby Fort Worth Alliance Airport and Interstate 35W.

- ***Alliance Commerce Center*** – Located on the north side of the airport, this is a 300-acre business park designed to accommodate small to medium-sized enterprises.

These components are illustrated on the Master Plan shown in Figure 5-1.

Alliance

Alliance is the 9,600 acre manufacturing, trade and logistics centre serving as the anchor of the AllianceTexas development which was initiated in 1989 with the opening of Fort Worth Alliance Airport, a joint initiative between the City of Fort Worth, the Federal Aviation Administration and Hillwood. Fort Worth Alliance Airport proclaims that it is the world's first industrial airport to utilize its multi-modal transportation capability to link manufacturing and distribution facilities with telecommunications, materials handling systems and logistics operations. Aggressive recruitment of firms by airport management has led to an extensive list of tenants that now numbers over 100. Thirty three (33) of which are Fortune 500 firms. Top employers at AllianceTexas are listed in the following table.

Figure 5-2

Alliance Major Employers Summary

Company Name	Employees
Nokia	2,800
American Airlines	2,350
Fidelity	1,400
Southwestern Bell Telephone	1,069
Fed Ex	863
Burlington Northern Santa Fe	495
Gulfstream Aerospace	450
Perlos	445
Randalls Food Markets	442
AdvancePCS	425
AT&T	420
DaimlerChrysler	400
Texas Instruments	256
GM	250
Mitsubishi Motor Sales	250
Kraft Foods	238
Tech Data	238
Michaels Stores	231
JC Penney	225
InteSys	200

A listing of companies located at, or near Fort Worth Alliance Airport and two other major airports are provided in Appendix B. These lists were extracted using Dun & Bradstreet's business database for zip codes surrounding each cargo airport.

Alliance was initiated in 1989 and by 2002, approximately 3,000 acres have been developed over this 13 year period averaging between 200 and 250 acres per year.

Alliance represents a multi-modal facility due to its highly accessible air, rail and highway infrastructure. Alliance Air Services operates a Fixed Base Operation (FBO) for corporate and general aviation purposes. The airport has 24/7 operations and provides direct taxiway access to business facilities at Alliance Center. The airport's parallel runways of 9,600 feet and 8,200 feet accommodate the full range of commercial aircraft currently in operation. Plans are in place for a future extension of the primary runway to 13,000 feet. Union Pacific and BNSF, two major US rail carriers have lines on the east and west borders of the development. BNSF also operates one of the nation's largest intermodal yards at Alliance. Alliance is intersected by Interstate 35W, referred to as the NAFTA superhighway due to its connection to Mexico and Canada.

A number of facilities have been developed at Alliance as a result of the airport's central location within North America and to support the incoming industries to the development. FedEx operates its Southwest Regional Hub at Alliance. This facility represents the only fully automated hub in Fed Ex's distribution network. It is also unique facility in that it was designed for throughput operations, similar to the Memphis and Indianapolis national hubs. Throughput operations handle packages that do not originate nor are destined for their respective regions. Alliance's facility is referred to as a regional operations centre, serving the surrounding market with distribution into southwest and west coast Regions.

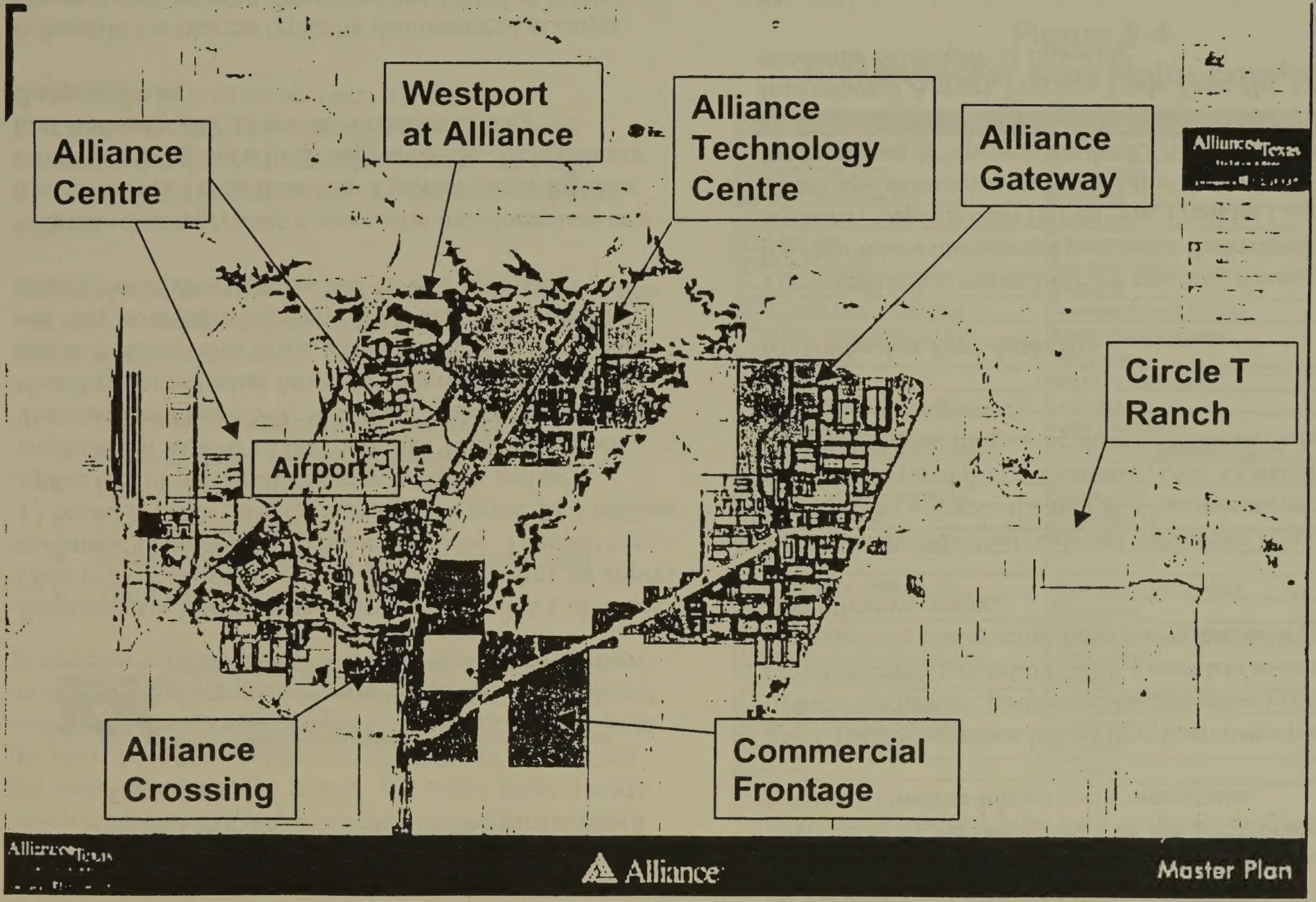
Alliance Air Trade Center is a 53-acre air cargo facility that is under development. Despite its early success in drawing manufacturing, distribution, logistics and high-tech tenants, huge tracts of land remain available for expansion at AllianceTexas.

In addition to the facilities provided at AllianceTexas, a wide array of services are available to expedite shipping and lure firms to the area. Major services at AllianceTexas include the following:

- Free Trade Zone status,
- On-site US Customs office,
- Freeport tax exemption; and
- User-free airport status.

Success of the AllianceTexas project is evident in a recent study that measured the economic impact of the project at $1.99 Billion for 2001, and $19.13 Billion between 1990 to 2001. The number of jobs created from 1990 to 2001 is estimated at 20,317 and over 20 million square feet of commercial space has been developed in this period.

Figure 5-1
AllianceTexas Master Plan


Alliance Centre
Westport at Alliance
Alliance Technology Centre
Alliance Gateway
AllianceTexas
Circle T Ranch
Airport
Alliance Crossing
Commercial Frontage
AllianceTexas
Alliance
Master Plan

5.3 Rickenbacker Airport, Ohio – Commitment by the Public and Private Sector to Work Together

Rickenbacker International Airport, situated in Columbus, Ohio is a cargo and passenger airport, anchoring an airport community comprising 13 business parks. Together the 13 business parks comprise some 6,988 acres, 23.2 million square feet of industrial/commercial space and an employment base of 10,000 persons. These have been illustrated on Figure 5-3. A further 2,000 acres have been identified for potential future development. The largest single industrial area is the Rickenbacker Industrial Park and Airport comprising some 4,600 acres, 11.5 million square feet of development and 6,300 employees.

Rickenbacker represents a successful transformation of a former US Air Force Base into a private sector logistics centre driven by the mutual support of the Rickenbacker Port Authority (RPA) and the Franklin County Commissioners.

A formula for success typically demonstrated at cargo airports is cooperation among various bodies including an airport authority, government representatives (including economic development organisations), and the private sector. In the case of Rickenbacker, a vision to capitalize on the area's infrastructure using the region's highways, rail lines and airport to enable effective transport of goods internationally was launched with the formation of the Greater Columbus Inland Port Commission.

The Greater Columbus Inland Port Commission consists of local businesses, government agencies and economic development organizations with a mandate to assist companies in transporting freight in a fast, efficient and cost-effective manner.

The adjacent industrial park and the on-site Foreign-Trade Zone further enhance the region's transportation and distribution capabilities. Currently, over 14 major carriers, 40 freight forwarding companies and 140 trucking firms operate in the region.

Rickenbacker Port Authority

The organization responsible for ensuring development of the region as a multimodal port is the Rickenbacker Port Authority Organization (RPA). The Franklin County Board of Commissioners formed this group in 1979 and the four lines of business for the RPA now include real estate development and marketing, Rickenbacker International Airport, Foreign-Trade Zone No. 138, and economic development financing.

The RPA has played a vital role in industrial growth for Rickenbacker by developing the Air Cargo Terminal complex and through provision of pro-business marketing efforts and services aimed at private investors. RPA economic development financing is intended to provide financing for organizations to reduce the cost of financing and/or strengthen financial statements with the overall goal of creating employment, increasing taxes collected and the construction of port and other public or private facilities.

A full range of aviation services is offered at Rickenbacker including passenger service, general aviation and military operations; however, air cargo facilities represent the primary economic development engine.

The complex has evolved into a multimodal, logistics hub that has developed concentrations of companies in the following industries and/or business types:

- Cargo airlines/International airfreight,
- Manufacturing and distribution,
- Freight forwarding,
- Corporate aviation,
- E-commerce fulfilment and distribution; and
- Third party logistics (3PL) providers.

In addition to these sectors, over 110 companies are now located at Rickenbacker, including many firms in apparel, automotive, electronics and telecommunications. Firms in the warehouse and distribution sector are being targeted for lands adjacent to the airport. The entire Rickenbacker development area, which includes lands without airside access, will provide space for hotel, restaurant and office development opportunities in a central commercial area.

The Southeast sub market has dominated industrial growth in the Greater Columbus area, accounting for half of the area's industrial development in 1999. This growth has been spearheaded by private investment.

Figure 5-4
Rickenbacker Area Major Employers

Company Name	Activity	Employees
Speigel/Eddie Bauer (DFS, Inc.)	Logistics	1,090
SubmitOrder.com	E-commerce	500
United Parcel Service	Shipping	400
Gap Direct	Fulfillment	370
Forward Air	Transportation	350
WalMart Optical	Eye care clinic	300
Fed Ex Air Cargo Hub	Shipping	258
EGL Eagle Global Logistics	Transportation/Logistics	250
Pilkington Libby Owens Ford	Automotive/Aerospace	250
Petsmart, Inc.	Distribution	240
3PF.com	3rd party fulfillment	230
Ryder Logistics	Logistics	225
Kraft Foods Inc.	Food Distribution	210
Columbus Processing Company	Manufacturing/Warehousing	200
Essilor of America, Inc.	Distribution	180
American Health Packaging	Distribution	165
Airborne Logistics	E-commerce	150
Ameritech (Security Link)	Information Technology	150
HFI, Inc.		150
Pinnacle Data Systems, Inc.	Information Technology	150
AC Delco	Automotive	125
Snow Aviation	Aviation Design/Development	121
Allegiance Health Care Corp.	Health Care	115
Robinson Transport Inc.	Logistics	112
C/D Nifco	Automotive/Electronics	106
Airborne Logistics Services	E-commerce	100
Dayton Rogers of Ohio	Assembly	100
Exel, Inc.	Logistics	100

Provision of trucking hubs such as the Eagle Global Logistics and Forward Air facilities at Rickenbacker serve a market that is far more heavily employed in trucking and warehousing compared to the national average (70% locally as opposed to 51% in the US). Logistics companies have experienced tremendous growth at Rickenbacker in recent years and have contributed to the overall development of the airport. In the fall of 2000, Eagle Global Logistics signed a lease for a 510,000 square foot facility and cargo landing figures increased 150 percent from 1999 to 2000. Airport Logistics Services doubled its facilities in 2000 to serve the airport and Forward Air recently leased an airside facility to transport cargo between domestic and international airlines, as well as forwarders and integrated carriers.

Air Cargo Facilities

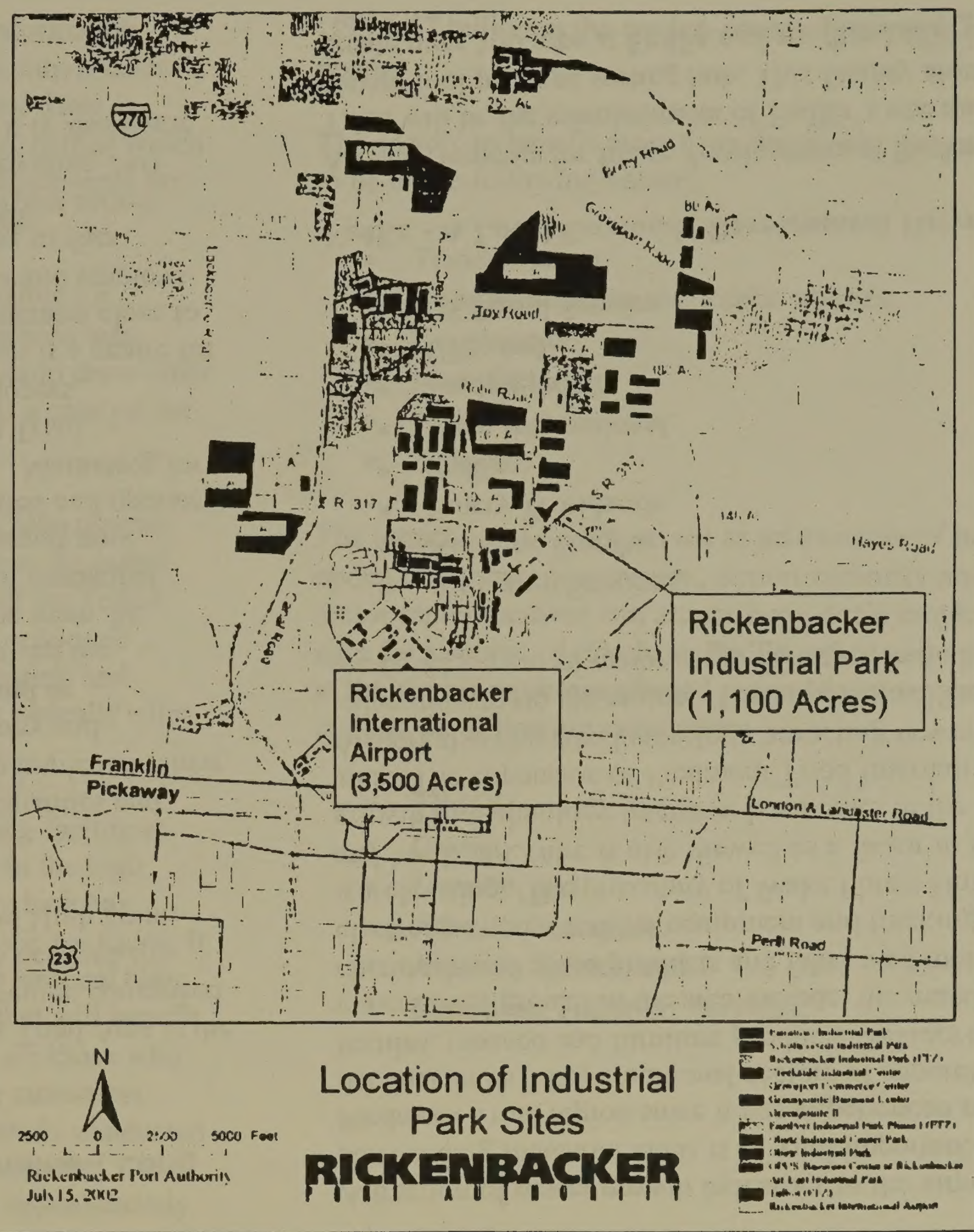
FedEx and UPS, two of the air cargo industry leaders, have expanded operations at Rickenbacker in recent years. The FedEx and UPS regional gateway operations are regional trucking and air cargo distribution centres for domestic and international cargo. Air cargo companies with air cargo operations at Rickenbacker include the following:

- FedEx,
- UPS,
- Eagle Global Logistics,
- Evergreen International Airlines; and
- Forward Air.

Rickenbacker's Air Cargo facilities consist of five air cargo terminal buildings offering more than 500,000 square feet of space with direct airside access within the Foreign Trade Zone. The Franklin County Improvement Corporation is responsible for the development of the Air Cargo Terminal Complex. At this time, the Air Cargo Terminal Complex contains Air Cargo Terminals 1 to 3. Air Cargo Terminals 4 through 7 are scheduled for development over the next 2 years and will total close to 4.7 million square feet. As well, over 3 million square feet of additional air cargo facility space is planned for construction in the next decade.

The terminal complex development at Rickenbacker will contain a charter passenger facility, corporate hangars, a hotel, restaurant and offices. These facilities are intended to enhance growth of the area's corporate presence and stimulate new business growth and development. This development exemplifies a trend witnessed at other major cargo airports whereby a business centre is planned following the successful implementation of air cargo infrastructure. The passenger terminal will accommodate domestic and international aircraft for charter, corporate and military flights, with a full Federal Inspection Service to handle international charter flights.

Figure 5-3
Rickenbacker Area Business Parks


270
Lockbourne Road
Alum Creek Dr
Toy Road
Rohr Road
Groveport Road
Perry Road
S R 317
R 317
Canal Road
Hayes Road
London & Lancaster Road
Perrill Road
Franklin
Pickaway
23
Rickenbacker Industrial Park (1,100 Acres)
Rickenbacker International Airport (3,500 Acres)
N
2500
0
2500
5000 Feet
RICKENBACKER
PORT AUTHORITY

Location of Industrial Park Sites

Rickenbacker Port Authority
July 15, 2002

Figure 5-5
Piedmont Triad Airport Plan

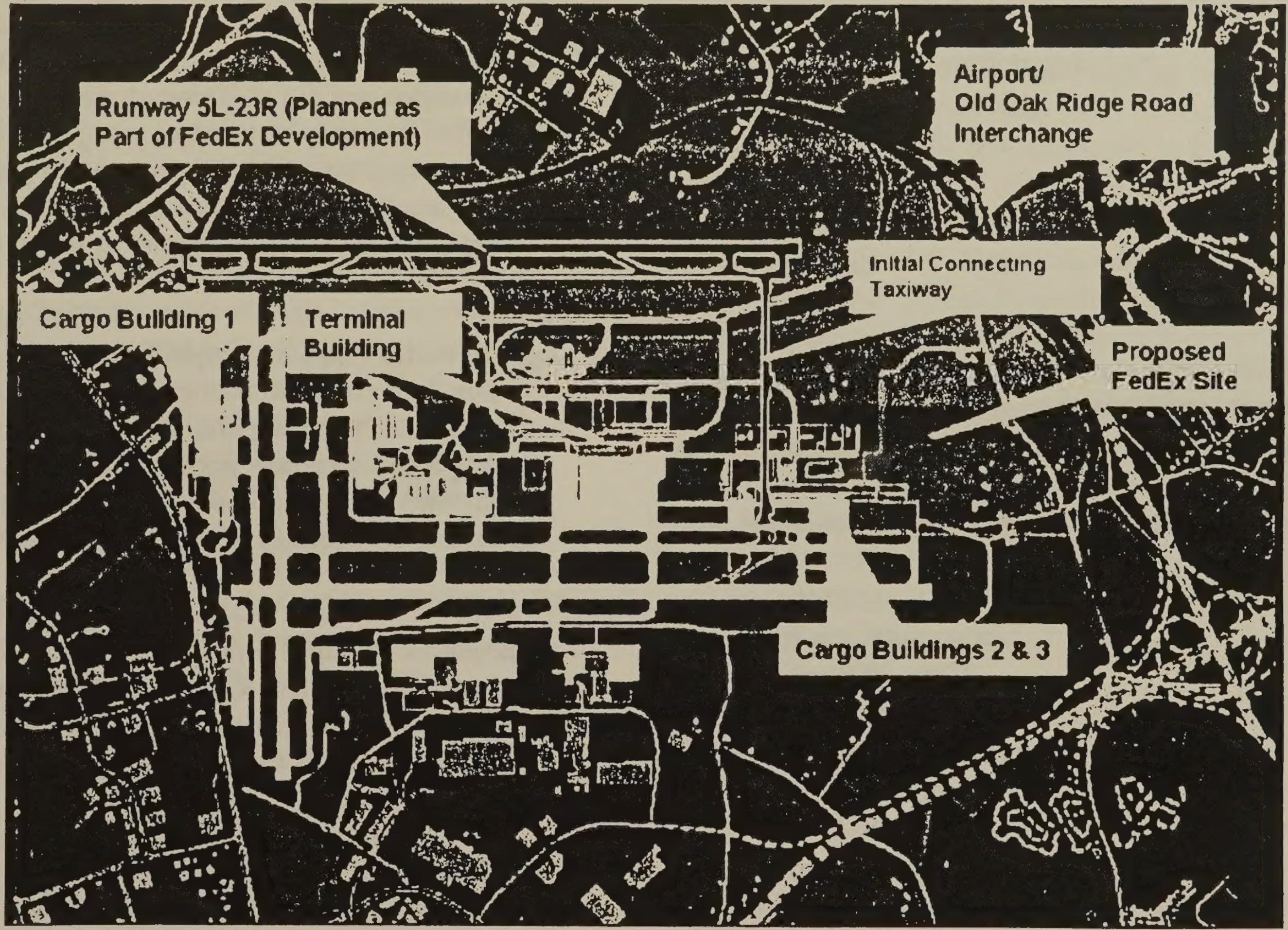

Runway 5L-23R (Planned as Part of FedEx Development)
Airport/ Old Oak Ridge Road Interchange
Initial Connecting Taxiway
Cargo Building 1
Terminal Building
Proposed FedEx Site
Cargo Buildings 2 & 3

Figure 5-6 summarizes the current employment by major activity at Piedmont Triad Airport. The airport supports a direct workforce of approximately 4,000 persons. The largest single employer is the Triad International Maintenance Corporation, an maintenance and repair company specializing in Boeing, Douglas and Airbus aircraft, with some 1,800 employees. This employment total does not include the FedEx facility, currently under development. It is also important to recognize that in the immediate vicinity of the airport is an employment base of approximately 40,000.

Figure 5-6
Major Employers at Piedmont Triad Airport

Economic Activity	Employment
Aviation Maintenance	1,800
Contract Services	1,284
Airlines	896
Hotel/Restaurant/Retail	360
Ground Transportation	270
Cargo Carriers	240
General Aviation	199
Government	190
Airport Authority	119
Aviation Training	14
Corporate Aviation	11
Total	**4,004**

5.5 Airports Can Support Large Employment Concentrations

Figure 5-7 outlines the employment by economic sector within a five kilometre radius of each of the three benchmark airports based on 2001 Dunn & Bradstreet employment data.

The total employment ranges from just under 29,000 at Rickenbacker to approximately 49,000 at Alliance. It is important to recognize that prior to the development of the airports, the surrounding lands were largely undeveloped and that much of this employment was created in as short a time frame as10 years in the case of Rickenbacker and as long as 20 years in the case of Piedmont.

All three airports have relatively large manufacturing bases and strong representation in the wholesale trade and transportation/logistics sector. The “other sector”, which constitutes either the largest or second largest category for each airport, is comprised largely of government, institutional and other services. Within the overall employment base of each airport are specializations unique to each location. For example, Piedmont has a large concentration of employees in the apparel, building products and chemical/pharmaceuticals manufacturing, as well as aircraft maintenance repair and overhaul.

Although, not discernable from the data shown on the table, Rickenbacker has developed some unique specialty clusters. “Optical Village” is a partnership between Airborne Logistics Services (ALS), six eyeglass manufacturers and a private developer. The concept works to essentially provide a 24-hour turnaround for eyeglasses from a customer order to the delivery to the retail outlet. Rickenbacker is also developing a technology cluster including computers, e-commerce and e-business fulfilment. Of the three benchmarks, Alliance has the largest manufacturing base, over 40% of which is comprised of the computer and electronics sectors. Alliance also has the largest employment base in the transportation and logistics sector at 10,000 employees.

By comparison, lands within 5 kilometres of Hamilton International Airport are almost entirely rural, with the exception of a small portion of the commercial strip on Upper James Street.

Figure 5-8 compares the market parameters of HIA with those of the benchmarked airports. HIA ranks third in terms of cargo volume, although overall volumes are not significantly different. Piedmont Triad is the only other airport that has regular passenger service. It generates some 1.4 million passenger trips per year. HIA is estimated at 1.0 million in 2002. Given that the area around HIA is still undeveloped and that it is still in the process of building its passenger service, HIA fares very favourably with the benchmarks in terms of its operating volumes.

It is also interesting to note that HIA lies within an urban corridor of some 7.4 million persons, which is considerably larger than the metropolitan areas surrounding the other benchmarks. We would note that Columbus lies in the centre of a triangle formed by Cleveland, Cincinnati and Toledo, which would have a combined population comparable to the Golden Horseshoe. We would note that travel distances are considerably greater[1] than they are within the Golden Horseshoe and the Cincinnati/Cleveland/Toledo triangle is not a contiguous urban area.

In terms of the development that has occurred around the benchmarks, designated industrial land ranges from about 2,000 acres in Piedmont to 10,000 acres at Alliance. These figures represent only the acreage in planned business parks in proximity to the airport only and does not include the airport or other land uses. The figure for Piedmont Triad is likely underestimated due to the existence of other employment lands throughout the Triad region that would benefit from the airport activity. By comparison, Hamilton has only approximately 800 acres designated and only partially serviced.

Total employment at each of the airports and surrounding business parks ranges from 7,000 at Piedmont to about 20,000 at Alliance. HIA currently has an employment base of about 1,550 jobs and 1,300 person years of employment .

As noted above, the employment potential within five kilometres of the airports is as great as 49,000 persons. HIA is still surrounded by rural lands.

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[1] The travel time is two and a half hours from Columbus to either Cleveland or Toledo and two hours from Columbus to Cincinnati. The travel time from Hamilton to Toronto and Niagara Falls is approximately 45 minutes.

In conclusion, the new economy has created substantial opportunities for airport related development. The experience of Piedmont Triad, Alliance and Rickenbacker, suggests that with the right ingredients, cargo airports combined with other transportation facilities can stimulate rapid economic growth.

5.6 Secondary Airports Play an Important Role Relieving Passenger Congestion at Major Airports

Airline deregulation in the United States in 1978 created new opportunities for regional, discount and charter airlines. Deregulation also stimulated a significant demand for lower cost airport facilities that could handle the resulting increase in regional and low-fare travel.

Significant investments were made to upgrade many secondary airports in major U.S. cities. Airports such as Love Field in Dallas, William P Hobby Airport in Houston, Chicago Midway Airport and Islip Macathur Airport on Long Island, NY, have grown to become important relief airports for their communities.

Love Field, for example, is situated some 20 minutes outside of Dallas. In 2001, it handled some 6.5 million passengers – about 12% of the volume of DFW International Airport. Owned and operated by the City of Dallas, Love Field is home to three airlines – Southwest, Delta Connection and Continental Express, which serve 17 destination in the Southern U.S.

William P. Hobby Airport in Houston is part of the Houston Airport System together with George Bush Intercontinental Airport. Hobby is served by eight scheduled passenger airlines and is the largest hub airport for Southwest Airlines. Only U.S. destinations are served at Hobby Airport, with all international service being flown from George Bush Airport. In 2001, Hobby handled a total passenger volume of 8.6 million, compared to about 35 million at Bush (i.e. about 25% of the passenger traffic).

Chicago's Midway Airport is one of four airports within the Chicago Department of Aviation system. The largest being O'Hare International Airport. With a passenger volume of some 15.6 million, it is the busiest secondary passenger airport in the U.S. It serves about 25% of O'Hare's volume. It is home to 17 carriers serving both domestic flights and service to Mexico and the Caribbean. In March 2001, a new 678,000 square foot terminal building was opened.

As has been the case in recent years, in the foreseeable future, it is expected that growth in airline passenger traffic will be generated largely through discount air travel. With anticipated growth in passenger volume at Pearson, there will be increased pressure for a secondary airport to relieve a portion of the region's air traffic.

Alternate airports such as HIA, can play an important role within their economic regions by serving a relief function for major airports; by providing a low-cost niche for discount, charter and regional passenger traffic; and by maintaining a non congested environment for air cargo and integrated courier movements.

Figure 5-7
Employment within Five Kilometres of the Benchmark Airports

	Peidmont Airport		Rickenbacker Airport		Alliance Airport	
Construction	1,911	5%	2,092	7%	4,018	8%
Manufacturing	9,009	22%	6,674	23%	13,600	28%
Food	*626*	*2%*	*176*	*1%*	*1,616*	*3%*
Apparel/Textiles	*2,351*	*6%*	*500*	*2%*	*35*	*0%*
Building Products	*1,226*	*3%*	*745*	*3%*	*850*	*2%*
Chemical/Pharmaceuticals	*2,361*	*6%*	-	*0%*	*158*	*0%*
Plastics	*303*	*1%*	*669*	*2%*	*628*	*1%*
Machinery	*301*	*1%*	*873*	*3%*	*222*	*0%*
Computer & Electronics	*92*	*0%*	-	*0%*	*5,942*	*12%*
Automotive/Parts	*17*	*0%*	-	*0%*	*474*	*1%*
Aircraft/Parts	*67*	*0%*	*26*	*0%*	*805*	*2%*
Other	*1,665*	*4%*	*3,685*	*13%*	*2,870*	*6%*
Wholesale Trade	2,592	6%	2,857	10%	5,000	10%
Retail Trade	4,756	12%	3,755	13%	1,519	3%
Transportation & Logistics	1,995	5%	4,542	16%	10,803	22%
Professional Scientific & Technical Servic	50	0%	-	0%	287	1%
Management	5,276	13%	-	0%	2,136	4%
Accomodations	35	0%	30	0%	330	1%
Food Services	1,052	3%	612	2%	1,272	3%
Aircraft Maintenance Repair Overhaul	1,800	4%	-	0%	20	0%
Other	11,762	29%	8,198	29%	9,936	20%
TOTAL	**40,238**	**100%**	**28,760**	**100%**	**48,921**	**100%**

Source: PricewaterhouseCoopers based on Dun & Bradstreet, Million Dollar Database

Figure 5-8
Comparison of Airport Market Parameters

	[illegible]	Rickenbacker	[illegible]	
Location	Hamilton, Ontario	Columbus, Ohio	Fort Worth, Texas	Greensboro, Winston-Salem, High Point Triangle, North Carolina
Metropolitan Area Population (Millions)(1	Hamilton CMA - 0.7 Golden Horsehoe - 7.4	Columbus MSA - 1.8	Dallas-Fort Worth MSA - 5.2	MSA - 1.3 Within 90 min drive- 4.5
First Year of Development	N/A	1992	1989	1982
Nearest Major Airport	Toronto Pearson	Cincinnati	Dallas-Fort Worth	Raleigh-Durham
Runway Size (feet)	10,000	12,000 (Parallel)	9,600 amd 8,200 13,000 (Planned)	10,000
Cargo Volume (Metric Tons)(2	91,000	96,000	135,000	80,000
Passenger Volume(3	600,000 (2001) 1,000,000 (Est. for 2002)	Occasional Charter (Passenger terminal planned)	No Scheduled Passenger Service	1,400,000
Employment Land (Acres)(4	To Be Determined	7,000 (2,000 future additional proposed)	10,000	2,000
Occupied Employment Land(4	0	3,500	3,000	Not Available
Employment Airport/Related Industrial Lands(5	1,200	11,000	20,000	7,000
Employment within 5 KM(6	Majority of Lands are Rural	29,000	49,000	40,000
Industrial/Commercial Space (Square Feet)(4	Limited to Airport	23,000,000	22,000,000	6,000,000

1) Hamilton CMA and Golden Horseshoe based on 2001 Census of Canada. Data for US Cities is for Metropoliatan Statistical Area from 2000 US Census

2) Cargo data for HIA for 2000 provided by TradePort. Data for US Cities are for 2000 from 2001 Annual Reports.

3) HIA Volume for 2001 based on data provided by Hamilton Airport Authority. Data for US Cities are for 2000 from 2001 Annual Reports

4) Based on interviews with US airport authorities and economic development officials. Note: Includes business parks in proximity to the airport. Excludes airport lands.

5) HIA Employment based on Hazra Consulting, Economic Impact Review, May 2002. US data based on discussions with airport authorities and economic development officials.

6) Based on Dun & Bradstreet business data base. Five kilometre rings defined by PricewaterhouseCoopers LLP.

6.0 HIA REPRESENTS AN IMMEDIATE INVESTMENT OPPORTUNITY

The Hamilton International Airport ("HIA") has begun a process of change to reinvent its core business from a local airport to a vibrant international passenger and cargo hub, acting as an anchor for a new regional industrial development that will springboard the Airport Industrial Park and surrounding lands.

In interviews with airport authorities and companies located in the surrounding business parks, the survey respondents where very pointed with regards to the competitive position of the HIA facilities, with many comments directed at the advantage of having no flight curfew to limit the landing options. Several logistics companies commented that the 24-hour operation of HIA is a distinct competitive advantage, particularly in light of the business competition in the airfreight and integrator market with Pearson airport.

The further advantage that HIA has is the ability to facilitate growth of the airport industrial infrastructure in a way that supports the needs of targeted space users. This tends to compliment Pearson's development plan, which has been primarily focussed on passenger traffic, and much less on air cargo and other industrial space users.

A vision statement and business plan are required to support planning, development and investment process for airport industrial development to take strategic advantage of the Hamilton Airport and the surrounding development potential.

6.1 Infrastructure Investment is Key to Attracting Development

The real estate development adjacent to the benchmarked airports, i.e. Alliance Airport, Ft Worth, Texas; Rickenbacker Airport, Columbus, Ohio and Piedmont Triad Airport, Greensboro/Winston-Salem/Highpoint, North Carolina demonstrate the need to commit financial and physical resources to harness the development potential and to attract investment and job creation.

The leadership that the local and state authorities have shown in dealing with the three benchmark airports illustrates that the political and economic influence of the local government bodies is required to validate the new development and that assistance and support from local municipal staff was essential to bring the undeveloped lands to a state that would allow development to occur.

The information from interviews with officials of the benchmark airports demonstrates that the initial demand for industrial development at these airports was fuelled by the creation of infrastructure necessary to allow development of industrial and commercial buildings. The key to developing industrial land at all three benchmark airports was the financial commitment of the local municipalities to invest in the required infrastructure to facilitate the development of the land adjacent to the airports.

The financial commitment was substantial, ranging from $30 to $200 million over a ten to fifteen year period. The following summarizes the major public infrastructure investment at the three benchmarked airport developments:

Alliance

- State and local funding was made available to cover the cost of a cloverleaf and interstate spur to facilitate direct expressway access to the airport.
- State and local authorities also provided the funding for trunk services, including sewer, water and electric.
- The County constructed a ring road to facilitate access to the airport and development lands.
- The Federal Government constructed the control tower and electronic infrastructure at the airport.
- The Federal Government also subsidized the recruiting and training of control tower staff.
- The City of Fort Worth expropriated strategic development parcels that could not be assembled through private market transactions.

Rickenbacker

- The Federal Government retrofitted the control tower and subsidized required recruitment and control tower staffing, at the former military base.
- The Federal Government upgraded water and sewer services on the site.
- The Federal Government provided a grant for the extension of a runway.

Piedmont Triad

- The Federal Government provided a grant for a runway extension.
- The Federal Government constructed a control tower and subsidized required recruitment and control tower staffing.
- The State of North Carolina expanded a highway from 4 to 6 lanes.
- The local governments organized surrounding lands into municipal boundaries and facilitated private land assembly and zoning.

It is also important to recognize that in all these cases, the State and local governments provided tax abatements in various forms to companies locating within the development areas.

Although this practice influenced corporate location decisions on a broader scale, it is questionable if this practice actually benefits the national or state economies in that many of these firms would still be attracted to the same types of locations in the absence of subsidies. In other words, the corporate composition around each of the benchmark areas may not be significantly different if none of the host communities or states provided any tax relief.

The companies that would eventually locate near airports, in the event that such buildings were available, based their location decision primarily on three key drivers:

- Location;
- Work Force Availability; and
- Price of Local Inputs

6.2 The Right Location is Also Essential

Each of the airport industrial developments was created after the airport location and need were established. The airports were all created from conversion of military airbases or built from green field sites. While the land had not been developed for industrial use, it had been available for development prior to the airport being converted or developed for logistics and or passenger use.

The Alliance Airport was built on a green field site provided by the landowners of the surrounding property, in conjunction with the City of Fort Worth. The other two airports were previously military airbases and the conversion to private use created an opportunity to develop the adjacent lands.

In addition to the obvious locational attributes of each of the benchmark airports, are the substantial advantages derived from the multi-modal transportation network. The ability to connect to many transportation modes, i.e. road, rail, sea or air, provides significant competitive advantage over other areas, such as traditional airport locations or in traditional suburban business parks.

Each of the airport industrial developments are able to provide quick, convenient access to major highways, freeways and rail facilities. This provides industrial space users with ready access to transportation and ensures quick to market timing, support for "just in time" inventory management.

The ability to move goods at lower cost from a major distribution terminal near an airfreight facility, enables many companies to achieve greater productivity, better cost control, service capability and/or customer support. Interviews conducted with companies located in airport industrial parks, demonstrated that there were many different locational decision drivers for their corporate real estate, among the primary ones were:

- Airport proximity;
- Transportation network;
- Cost of land;
- Tax incentives;
- Image of industrial park; and,
- Availability of labour.

6.3 The New Economy Requires a Skilled Work Force

The predominant character of the businesses locating at or near airports is logistics or distribution related, which raises the need for a dependable yet affordable work force to support the employment requirements of these businesses. The early stages of the benchmark airport development found the work force requirements were met by attracting a labour pool from a wider catchment area than was expected, as these airport industrial parks were all in more remote locations than the hub passenger airports they were meant to supplement.

In the case of Alliance real estate development, workers were attracted from as far away as 80 miles, until sufficient job base had been created that satellite communities in the vicinity could be expanded to serve the greater number of employees. Alliance currently has over 22 million square feet developed, with an estimated direct (on airport) and indirect (spin off employment in the region) workforce of 62,000 people, according to an Economic and Employment Survey dated January 31, 2002.

Rickenbacker airport industrial development was able to attract employment from existing surrounding communities initially and the ten years of sustained growth has provided demand for direct and indirect employment of 11,000 jobs, per the Economic Impact Report, dated June, 2001. The current 23 million square feet of industrial development has fuelled the growth of residential demand in the surrounding greater Columbus, Ohio area.

Piedmont Triad airport industrial development has been more modest and growth of more recent vintage, compared to Alliance and Rickenbacker airport industrial parks. The initial planning for the industrial park development was begun by several municipalities, who put forward recommendations on park requirements and then proposed annexation of areas to be developed. The annexation of the lands facilitated that issuance of debt that was used to provide the service and road infrastructure for the eventual airport industrial parks.

The initial employment for the Piedmont Triad industrial park was supported by the existing worker base in the three-city area and surrounding town and rural area. The loss of primary employment from three major industries: textiles, furniture manufacturing and tobacco, provided available worker pool to support new industries as they located in the Piedmont Triad.

Piedmont industrial development in the immediate vicinity of the airport comprises over 6 million square feet and over of 3,000 jobs in mostly in the logistics, call centre or e-commerce sectors. These are in addition to the 4,000 employees on the airport site. As noted above within five kilometres of the airport are some 40,000 employees. The focus on these sectors has been supported by area universities and colleges, the largest of which is Wake Forest University and Medical School. These education resources provided a well-trained and knowledgeable information and service sector workforce.

6.4 Price of Local Inputs

The benchmark airport industrial developments have demonstrated that little or no premium will be paid by space users, solely on the basis of location adjacent to the airport, unless some very special considerations apply, such as airside access, direct and frequent shipping requirements where time to market or shipping is major service criteria.

The experience of Alliance airport illustrates best the expectation that should be built into the Business Plan for HIA. Alliance made a commitment for infrastructure and amenities that rivalled the best business parks in the Greater Dallas/Fort Worth area. The price per acre of land that the industrial development could command however, was more influenced by the prevailing rental rates for comparable space in competitive developments and that no premium was paid for location adjacent to airport until the industrial development had matured. The market commanded a premium on the basis of the quality of the real estate development and amenities, not on the airport location itself.

Alliance also illustrates that employers look for other cost containment measures that enhance their profitability, like subsidies and tax abatements, to adjust for the "pioneering" aspect of the development that many of the first employers feel they have to endure, until the location is more established.

While wage rates have been a major factor in location decisions, taxes and other locational cost issues will also factor into decisions for logistics and high cube warehousing businesses.

Conclusions for HIA

Airport industrial development can assist in creating new jobs and providing economic stimulus to the region. The focus by Piedmont Triad in attracting key industries that rely on high education attainment suggests that Hamilton can similarly base its development strategy on the foundation of area universities and colleges, as well as trained and well educated workforce.

The existence of McMaster University can assist in attracting technology, bio-med, and other high value firms to the airport in the same way that Wake Forest University did in the Piedmont Triad.

The locational attributes of HIA are also similar to Piedmont Triad in terms of fragmented land ownership and lack of applicable existing planning policies. As a result, municipal leadership is required to ensure adequate planning policies, zoning, service infrastructure and land consolidation.

6.5 Rationalization of Land Holdings is Required to Support Long Term Growth

The key to development of the industrial lands around the benchmarked airports was the commitment to develop the land on a joint or coordinated basis. While the circumstances varied in each case, the common element was the role that local government took in facilitating the availability of land to be developed.

Alliance

In the case of Alliance, most of the lands were controlled by two major landowners. They joined forces with the City of Fort Worth to propose the airport and to develop the surrounding lands. The City of Fort Worth coordinated the planning and zoning process to ensure that all landowners in the airport area had ability to compete fairly in the development process.

The employment lands around Alliance Airport have been master planned through the cooperation of the municipal officials of three local jurisdictions, and the private sector landowners.

The industrial lands were created from Ross Perot Jr's 15,000 acres and an adjacent 2,000 acres owned by Trammell Crowe. These lands, with the private sector resources, provided the rationalization of land holdings to support the long-term industrial development.

Rickenbacker

Rickenbacker's airport industrial development was a mixed model with the airport authority active in the planning process, in the hope that the subsequent industrial space demand would develop new customers for the cargo airport. The airport authority worked in conjunction with local landowners to assemble over 3,000 acres of land in several independent sites totalling 11 million square feet, around the airport that would be developed over a period of 20 years.

Piedmont Triad

The Piedmont airport industrial development has been facilitated by the degree of cooperation between municipal and state officials together with private landowners who worked to create the current business park of 2,000 acres with 6 million square feet of employment area, supporting over 3,000 direct and indirect jobs.

Local municipalities annexed the development lands in order to facilitate the required services. The individual municipalities provided the required services, supported by revenue bonds to finance the cost of service infrastructure.

Conclusions for HIA

The commitment to proceed with the airport industrial development must be validated by all the landowners in order for the potential benefits to be realized. If the local levels of government are not able to bring the landowners together, it may be necessary for the City of Hamilton to evaluate alternative means to ensure that the airport industrial development potential is realized.

Long term development needs must be identified and service and transportation infrastructure provided to ensure that the development potential could be realized.

6.6 Planning Must Recognize both Long and Short Term Opportunities

Municipal officials in each of the benchmark communities recognized that appropriate zoning was critical to facilitate industrial land development and job creation.

Alliance

Planning officials from the municipalities that encompass Alliance airport joined with the landowners in the creation of land use plans and development master plans that would take into account short term and long term demand and provide the capability to meet the needs of companies seeking to relocate to the Alliance airport industrial park.

Rickenbacker

The airport authority and local municipal officials worked together to find a common vision of the uses that would both enhance airport freight and landing rights revenue, and act as an economic engine for the surrounding region.

Piedmont Triad

Initial planning for the airport occurred in the late 1970's, including the annexation of lands required for airport and surrounding industrial development. It is only in the last decade that the majority of development has occurred, and in a form that could not have been envisioned during initial planning. However, the ability of the local authorities to consolidate the land at an early point in the process laid the groundwork for future development when favourable economic conditions returned.

Conclusions for HIA

Principles should be articulated into the Official Plan that provide protection for the future operating capacity of the Hamilton Airport.

In particular, land use designations and zoning near the airport should restrict uses that are incompatible or that may constrain the 24/7 operating capability in the future.

Furthermore, Official Plan and zoning should be geared towards anticipated future industrial users, while allowing flexibility to respond to emerging industrial market trends.

6.7 Commitment is Needed from All Levels of Government

The airport operating model is quite different for each of the benchmark airports, due to the different legal and tax systems. The common element in each of the airport business communities is the unequivocal commitment of the various levels of government, from the local to the federal government.

The support from all levels of government in the United States benchmarks provides some insight into the catalyst that was provided by federal, state and local governments.

The US Transportation Administration and the Federal Aviation Administration have adopted policies that have facilitated the growth of cargo airports and the resulting industrial real estate developments that have grown synergistically with the airport cargo volume. Each of the benchmark airports assembled a coalition of interested stakeholders, with the active participation of the local governments who had the most benefit to reap from the new industrial development.

Alliance

The City of Fort Worth developed a strong presence with the state and federal government bodies to ensure that their jurisdiction was an active contender for the award of an airport license, which would facilitate the development of the industrial real estate adjacent to the airport. Fort Worth and surrounding towns formed a support team to improve the chance of success for the Alliance airport proposal, during the time when the FAA was seeking another airport site in the Dallas/Fort Worth Metroplex.

As with each of the other benchmarked airports, the FAA provided substantial funds ranging form $20 million to $62 million in subsidies and grants to the airport authorities to fund the infrastructure and services required. In addition, the State of Texas provided grants and funding for roads, tax rebates, tax exemptions and relocation allowances that added to the financial aid that the airport industrial parks received.

Rickenbacker

State and local officials worked with federal level of government to arrange the orderly and seamless transfer of the airport from military to civilian jurisdiction. The process included several years of planning, to enable the realignment of municipal boundaries, which ensured services would be provided in a timely manner, in keeping with market demand.

Nothing was overlooked in the Rickenbacker transition. There were many levels of government involvement, all of which needed to be in agreement for the transfer and subsequent development to take place.

The State government also provided funding in the form of infrastructure capital, tax exemptions and other funds recognizing the economic value of the project.

Piedmont Triad

Piedmont brought together seven individual government bodies to facilitate the creation of the planned industrial development zone. The land area was fractured so there needed to be some realignment and annexation in order to proceed with servicing and obtain commitment to the long term development of the airport and surrounding lands.

Conclusion for HIA

Piedmont Triad best represents the degree of commitment that HIA may find necessary in order to achieve the development of the airport industrial area. The local residents and businesses, as well as the other nearby municipalities will have to be committed first, before moving on to provincial and federal levels of government.

The U.S. example may not be directly applicable to Canada due to different funding mechanisms, more limited municipal powers in Canada and other inter jurisdictional differences. However, the key is that there is recognition by both state and federal agencies that the benefits of the airport extend well beyond the local municipalities. In all three cases, the airport developments resulted in thousands of jobs, most of which were new to both the local area as well as the states. From the perspective of the Federal Government, the airport developments supported the Foreign Trade Zone legislation and ultimately bolstered US exports.

Both the Provincial and Federal Governments will benefit from the expansion of the airport. As such there should be participation by both upper levels of government at an early stage to ensure that:

- Adequate infrastructure is available;
- Adequate skills and labour force are available for new companies locating in proximity to the airport;
- The airport can continue to maintain its operational advantages; and,
- The airport is effectively marketed regionally, nationally and internationally.

6.8 The Vision Must Be Shared with the Community

The airport has become a regional economic generator that can be developed to benefit all the stakeholders. There will need to be a local and regional commitment in order for the airport industrial development to be realized. There will be a substantial financial and manpower requirement that will need support from the entire community.
The long term requirements to maintain the core competitive advantage afforded by the 7/24 operating standard, will mean that future development of the airport area will be counter to the interests of those landowners who have assembled parcels of land for future residential development. The community must be involved in order to create a broad base of support, in order to work through the creation of an airport industrial development that will meet the long-term interest of the community at large.

The examples provided by the benchmark airports give ample justification to pursue a strategy and business plan for an airport industrial development that creates a base for new development to facilitate job and economic growth and harnesses the geographic position of Hamilton in the Golden Horseshoe and South-western Ontario.

HIA has the infrastructure to provide a multi-modal transportation network:

- Connection to the St Lawrence Seaway and its potential upgrades;
- An expanding road network, which will facilitate access to the airport and allow a repositioning of the airport area as a desirable location; and
- Available rail connections, subject to sufficient demand to validate development.

The land area surrounding the airport should facilitate the development of a quality, corporate style development, and provides critical mass that will draw the interest of logistics and other companies.

6.9 Airport Communities Are International

All three benchmark airports have significant representation by either foreign companies or domestic companies that rely on significant import and export activities. This is largely attributable to the Foreign Trade Zones which have been designated within the airport business communities.

Foreign Trade Zones (FTZs) offer a competitive advantage in serving the NAFTA market by permitting goods to be brought into the U.S. without the prepayment of taxes or duties. For those goods that are re-exported, duties or taxes never have to be paid. Merchandise entering the domestic market has applicable duties and taxes applied at point. FTZs also enable the storage and value-added manipulation of goods to take place in a tax and duty free environment, which frees up excessive amounts of capital.

At Rickenbacker, for example, Dorcy International a rapidly growing manufacturer of flashlights and other lighting products located in FTZ 138. Dorcy imports the bulk of its components from overseas. The foreign trade benefits available to this company, including deferred, reduced or eliminated duties, have directly contributed to the company's sales growth since locating at Rickenbacker.

The Piedmont Triad boasts 160 foreign firms, including 30 from the United Kingdom, 24 from Germany, 19 from Japan, 17 from Canada and 12 from Italy.

In Canada, the newly adopted Export Distribution Centre (EDC) Program offers many of the same benefits as the US Foreign Trade Zone legislation:

- Canada can be used as a base for distribution within the NAFTA economy;
- No outlay duties and taxes up front improves overall cash flow;
- Increased productivity and competitiveness by avoiding inverted global tariffs; and
- Quota restrictions can be avoided until goods actually enter the Canadian market.

The most significant difference is that the EDC program is not geographically based so that a company can apply for EDC status, without being in a designated area, such as is the case with FTZ's in the United States. The draw back for HIA is that the program does not give it a strategic advantage over other industrial areas in terms of offering export incentives. On the other hand, the program may enhance the attractiveness of all areas, including Hamilton, with superior access to international transportation networks.

Based on our discussions with other airports and industry exports, there was a strong sentiment that Asian firms could be an important source of airport and FTZ tenants in the future. As Asian producers continue to increase their expansion into North American Markets, it is expected that Asian countries will far outpace North America for air cargo growth. As a result, this may represent an opportunity for HIA.

7.0 HIA CAN BE A MAGNET FOR INDUSTRIES STRATEGIC TO SOUTHERN ONTARIO

As part of our mandate, PricewaterhouseCoopers has identified a number of employment sectors that demonstrate strong future growth potential and reflect the type of companies that would be suitable for the lands in the vicinity of the HIA.

The identification of appropriate business targets is based on:

- Major investment attraction initiatives already underway by senior levels of government;
- The conclusions of the City's *Economic Development Strategy: Hamilton's Clusters of Innovation* (May 2002)
- Recent investment trends in Ontario and neighbouring communities (as identified in Section 3);
- Private sector forecasts for individual sectors, and
- Interviews with a wide variety of business executives both locally and the US, as well as industry association representatives.

7.1 Federal Investment Attraction Strategies

The Department of Foreign Affairs & International Trade, and Industry Canada are the two Federal agencies responsible for business growth and foreign direct investment in Canada. **Team Canada**, a partnership of 1,800 representatives from industry and government is the entity responsible for expanding Canada's presence within selected industry sectors.

Since the program was established in 1994, six trade missions have been organized to Asia, Europe and Latin America. The mandate of the program is to advance Canada's trade and investment interests abroad, and to raise Canada's profile as a global centre of innovation for a wide variety of products and services.

Team Canada has identified the following industry sectors as part of its formal mandate:

- Aerospace & Defence
- Agriculture, Food and Beverages
- Automotive
- Bio Industries
- Building Products
- Electric Power Equipment & Service
- Environmental Industries
- Health Industries
- Information and Communication Technologies
- Plastics
- Service Industries and Capital Projects

7.2 Provincial Investment Attraction Strategies

The Ministry of Enterprise, Opportunity and Innovation (MEOI) is responsible for economic development marketing and investment attraction in the Province of

Ontario. MEOI promotes Ontario in numerous forums including through the Ontario Investment Service, industry trade shows, direct marketing, corporate lead generation and targeted advertising campaigns. MEOI is currently promoting the following target sectors for investment attraction:

- Aerospace
- Automotive
- Biomedical
- Call Centres
- Chemicals
- Environment
- Forestry
- Infotech & Communications
- Machinery
- Mining
- Plastics

7.3 Growth Sectors

Understanding the growth potential of Canada's leading economic sectors is a fundamental component of investment attraction.

Each spring the Bank of Montreal provides five-year sector-based forecasts. Figure 6-1 below highlights those sectors that are poised to grow rates near or above the average annual growth projected for the entire economy (3.4%).

The circled sectors indicate those identified by the City of Hamilton as strategic fits given the presence of existing businesses and labour skill sets.

Figure 7-1
Projected Average Annual Change in Real GDP by Sector: 2002-2006

High Growth (Above 4%)	%	Medium Growth (2.7 –3.9%)	%
Communication & Info. Services	9.1	Electrical Equip & Appliances	3.9
Professional & Technical Services	5.8	Non-electrical Machinery	3.9
Plastics	5.3	Transportation & Warehousing	3.8
Electronic Products	5.0	Finance & Insurance	3.8
Furniture	4.9	Construction	3.7
Motor Vehicle Parts	4.5	Retail Trade	3.6
Wholesale Trade	4.4	Fabricated Metals	3.5
Admin & Waste Mgmt Services	4.3	Wood	3.5
Non-metallic products	4.3	Primary Metals	3.4
Aerospace Products	4.2	Art Entertainment & Recreation	3.3
Cultural Services	4.2	Accommodations & Rood Ser.	3.1
		Misc. Manufacturing	3.0
		Agriculture	2.9
		Real Estate, Rental & Leasing	2.8
		Personal Service	2.7

Source: Bank of Montreal, *Sectoral Forecasts*, May 2002

7.4 Local Investment Attraction Strategies

In May 2002 the City of Hamilton released its new *Economic Development Strategy*. The strategy provides one of the basic building blocks that feed into an integrated 20-year growth management strategy known as "GRIDS".

The Economic Development Strategy focuses on the pursuit of six industrial clusters as a ways and means of focusing limited marketing resources to enhance the economic vitality of the City. The identified clusters include:

Traditional

- Industrial Manufacturing
- Agri-business

Emerging

- Aerotropolis
- Health & Biotechnology
- Information and Communication Technology
- Film

Hamilton's Economic Development Strategy is the product of significant research involving direct input from local focus groups, stakeholders and industry organizations. The industry clusters identified in the strategy have been fully supported by Council.

The City fully appreciates that these clusters are tightly intertwined with one another, each serving to reinforce and propel the success of the others. The opportunity to integrate various aspects of these clusters is the basis of the following section of the report. It provides the rationale and locational factors will that motivate new business formation in the vicinity of the airport.

7.5 Recommended Target Sectors for HIA

As noted previously, the development of the "aerotropolis" or airport community has been identified by the City as: "the number one strategic priority for economic development in Hamilton". The City has also indicated that, "the airport will be the future for employment and assessment growth as well as distribution development.

This section of the report identifies recommended primary targets industries for the airport lands on and adjacent to the Hamilton International Airport. Our recommendations are based on a review of the target sectors identified by the City of Hamilton and other Golden Horseshoe Municipalities, businesses attracted to the benchmarked communities and the investment targets identified by the Province of Ontario and the Federal Government.

The recommended target sectors are:

- Logistics;
- Aviation;
- Manufacturing;
- Information and Communications Technology; and,
- Biomedical.

A description of each sector together with its rationale as a target is discussed below. Figure 7-2 lists the targets and sub-groupings within each sector. The third column of this table provides links to web sites listing the major companies in each sector. Figure 7-3 provides a summary of the infrastructure and locational requirements for businesses in the target sectors. Figure 7-4 summarizes the typical site specific locational requirements for each sector

7.5.1 Logistics

Logistics is the process of planning, implementing and controlling the flow and storage of goods services and related information from the point of origin to the point of consumption. It is both an "in-house" activity in manufacturing and distribution industries as well as an emerging industry where specialized firms offer services on a contract basis.

The Canadian Professional Logistics Institute include the following activities and functions in their definition of the logistics and supply chain management:

- Purchasing
- Production scheduling and inventory control (demand forecasting, inventory management, production planning, & scheduling)
- Distribution (warehousing, materials handling, packaging, shipping and loading, storage, order processing, picking and customer service)
- Transportation and traffic (rates and dispatching)
- Customs clearance (customs brokerage)
- International freight forwarding (international shipping of cargo).

Increasingly businesses are outsourcing their entire supply chain management to third party logistics providers (3PLs) to take advantage of their skills in supply chain optimization.

The logistics industry is an increasingly important tool to maintain Ontario's competitiveness in the global marketplace. Efficient logistics practices, whether they are conducted in-house or by 3PLs, provide the following benefits to business in the region:

- Shortened time requirements for goods to get from the supplier to the customer, and
- Reduced inventories leading to overall cost savings.

Figure 7-2
Hamilton International Airport Recommended Target Sectors

Cluster	Existing Base	Targets & Anchors Sectors	Company Resource Locator
Logistics	FedEx. ups Purolator	Airfreight Forwards Couriers	www.ciffa.com
Aviation	KF Kelowna Flightcraft CASL Esso AVIATION JETPORT PENINSULAIR	Maintenance Repair & Overhaul Aircraft Parts Flight Training	C.A.M.C. www.camc.ca AIAC www.aiac.ca www.ontaero.org
Manufacturing		Automotive Parts Advanced Machinery Plastics	APMA www.apma.ca www.the-alliance.com www.cpia.ca

Figure 7-2
Hamilton International Airport Recommended Target Sectors
(Continued)

Cluster	Existing Base	Targets & Anchors Sectors	Company Resource Locator
ITC		Hardware Software IT Consulting	www.itac.ca
Biomedical		Biotech Pharma Clinical Laboratories	www.biotech.ca www.canadapharm.org www.biospace.com

Based on our discussions with various industry associations and supply chain specialists, the following products are shipped by air cargo:

- **Time-sensitive Courier Documents & Parcels**
- **Perishables** (in-bound fruits, seafood, flowers)
- **High-value Components** (electronic, selected automotive parts, system-critical replacement parts);
- **Pharmaceuticals** (drugs, vaccines, test samples, specimens, cultures, etc.);
- **Time Sensitive Consumer Products** (newspapers, magazines, apparel, etc.)
- **e-fulfilment**

While airport locations are particularly desirable for freight-forwarders and couriers, an airport in and of itself is not a defining locational parameter required to support typical logistics or distribution functions. Proximity to highway networks, and speed and access to customers on the ground are equally, if not more, important because these factors often shape a companies reputation in the eyes of their customers.

Planned highway improvements in the vicinity of HIA (i.e. the Highway 6 extension, the Mid-Peninsula Corridor, and the Red Hill Creek Expressway) will dramatically improve the ability of companies in and around the airport to better penetrate nearby markets, such as GTA, the Niagara Peninsula, southwestern Ontario and the US.

7.5.2 Aviation Cluster

The availability of large tracts of vacant land immediately adjacent to HIA provides an excellent opportunity for the City of Hamilton to capitalize on growth opportunities in several areas of the aviation and aerospace cluster. Based on our industry consultations we have identified three components of the aviation cluster that could be integrated into the Aerotropolis concept.

Aircraft Part Manufacturing

The aircraft parts manufacturing industry is a truly global and high-tech industry. Design and production of aircraft and parts normally takes place within large complex networks of international suppliers and manufacturers across large geographic expanses. Unlike the automotive industry, which is highly concentrated in tight geographic clusters, the aircraft industry is spatially dispersed with parts being shipped over greater distances.

While the market for new aircraft tends to be highly cyclical, the parts segment of the industry is considerably more stable because of the on-going need for aftermarket components, mandated safety checks, and modernization programs.

The aerospace sector in Canada experienced record sales levels in 2001 surpassing the $20B threshold in sales. Although Quebec has the largest aerospace industry concentration, Ontario still represents about 30% of total sales and 30% of total employment in Canada.

There is strong evidence to suggest that many regions have successfully leveraged their airport facilities as magnets for attracting aircraft parts manufactures. Summerside, PEI for example has aggressively marketed its airport (a former Canadian Armed Forces base) to aerospace and aircraft parts manufacturers. Slemon Park Corporation is a private sector company focused on attracting aerospace investment from around the world to Summerside. In co-operation with Federal and Provincial governments, the company has established the Summerside Aerospace Centre, which offers companies a 100% rebate on provincial sales tax, income tax and property tax until 2012. Atlantic Turbines International, AlliedSignal Aerospace, Testori Americas Corporation, Wiebel Aerospace are among some of the leading companies that have chosen to locate in Summerside.

Discussions with the Ontario Aerospace Council (OAC) indicate that long-term prospects for the Province's aerospace industry remain favourable despite the cyclical downturn presently affecting the industry globally.

The strongest growth opportunities in Ontario reside at the **Tier-Two** (system integration) level, which includes companies engaged in the delivery of entire subsystems to OEMs such as, avionics, landing gear, engines, etc.

As a cautionary note our consultations with the OAC revealed that a location adjacent to an airport is not a compelling enough reason in and of itself to site a new aircraft parts manufacturing plant. Locations need to be supported by well-balanced labour market (both skilled and unskilled workers); transportation costs, labour costs and well structured government incentives.

Maintenance Repair and Overhaul

Aircraft repair maintenance overhaul (MRO) is considered to be the most resilient sub-sector of the aviation cluster.

Based on discussions with the OAC, HIA is well positioned to take advantage of emerging MRO opportunities for four key reasons:

- the airport's existing infrastructure (10,000 foot runway);
- 24/7 flight and customers operations;
- lower air traffic activity than Pearson International; and
- lower landing fees than Pearson International.

One of the key trends in the MRO industry is the decentralization of activity away from crowded "hub" airports in favour of smaller specialty facilities. Recent examples of this include: Alliance Airport (American Airlines), Duluth Airport (Northwest Airlines), and Indianapolis (United Airlines).

Air Canada currently operates three maintenance facilities across the country (Vancouver, Winnipeg, and Montreal). In addition to serving their own aircraft, the company has also secured major contracts with other international airline carriers. The airline has recently announced its intentions to spin-off its Technical Services unit into a freestanding business unit.

Access to qualified mechanics and engineers is a major issue currently confronting the airline industry. The number of qualified graduates is not keeping pace with retirements. As such, the industry is anticipating a major skills shortage in the near to medium term. It has been suggested that if HIA wishes to establish a strong foothold in this segment of the industry, on-site training facilities will need to be established. Emphasis on **"aircraft specific" maintenance training** was also cited as one of the key opportunities that could set HIA apart from the field, leading to a greater number of future opportunities.

Flight Training Centres

Given structural changes taking place in the flight training industry it is evident that HIA could position itself as a leading-edge centre for flight training in the country. A study prepared in 2001 by ATAC addressed the human resources concerns for commercial aviation in Canada. The report concluded that the industry would likely experience a "skills" shortage for pilots.

New generations of technologically advanced aircraft are placing growing demands on pilots for skills training and professional upgrading. Going forward it is clear that the industry will require professionals who can fully master the potential of these new technologies. Flight training centres across the country will be required to accelerate and intensify their training programmes to ensure that more sophisticated training devices and more modern fleets are introduced into their course offerings..

7.5.3 Manufacturing Cluster

Automotive Parts Manufacturing

The Ontario Investment Service (OIS) has been actively promoting Ontario as *"North America's Automotive Powerhouse"*. Ontario is the second largest vehicle-producing region in North America, and is on the verge of surpassing Michigan in terms of total vehicle output. Recent investments and product line expansion plans at several Ontario assembly plants including Toyota in Cambridge and Honda in Alliston, provide a strong signal that the global automotive industry understands the competitive advantages of operating manufacturing facilities in Ontario.

In addition to its impressive roster of automotive assemblers, the Ontario automotive industry is also comprised of a rich and dynamic collection of auto parts companies. The Canadian Automotive Parts Manufacturing Association (APMA) estimates that there are approximately 550 auto parts companies located in southern Ontario, employ a total of 100,000 highly skilled and educated workers.

The Ontario automotive parts industry is made up of three 3 types of enterprises:

- Captive parts producers – facilities owned directly by vehicle producers;
- Independent Canadian parts producers; and
- Independent foreign parts producers

Independent Canadian parts producers are responsible for nearly 50% of parts shipments. The Big Three (GM, DC and Ford) are the largest customers. While Japanese producers in Ontario comprise nearly 25% of the market, they account for only 8% of all sales for Canadian automotive parts producers.

The APMA has identified four growth opportunities for Canadian parts manufacturers, including:

1. **Extreme Fuel Efficiency Initiatives:** significant opportunities exist within the industry for companies with leading edge solutions in the area of power trains, electronic components, and lighter weight materials.
2. **Emerging Technologies:** hydro forming, fuel cells and magnesium parts.
3. **Safety:** Opportunities exist for companies pursuing R&D activities in the area of Intelligent Vehicle-Highway Systems (IVHS)
4. **Electronic Components:** the value of electronic components in the light vehicle is expected to increase by 75% between 1996 and 2005. It is also estimated that by 2005 electronics will account for approximately 40% of an automobile's cost.

The Hamilton economy, like most others in southern Ontario, is heavily influenced by the cyclical nature of the automotive sector.

The automotive industry is heavily reliant upon just-in-time delivery practices. This, perhaps more than any other reason, has stimulated a strong geographic concentration of auto-related parts firm in southern Ontario around key OEM manufacturers located in Oshawa, Oakville, Windsor, Alliston and Cambridge.
One of the key trends in the industry over the past two decades has been the increased level of investment in non-traditional manufacturing regions, such as: South Carolina, Tennessee, Kentucky and Alabama. Lucrative incentive packages and favourable labour conditions (i.e. "right to work" laws) have attracted billions of worth of investments in recent years.

As the North American automotive industry becomes increasingly dispersed geographically, the most successful firms will look for new ways to maintain their competitive advantage through improvements in their supply chain systems.

Although automotive parts manufacturers traditionally relied upon truck shipments, there is growing evidence to suggest that they are embracing air-cargo to serve distant customers. At present time, the movement of automotive parts by air is largely limited to high-value added electronic components. As the market for these types of components expands, it is anticipated that airfreight companies will play an ever-increasing role in the automotive supply chain.

Automotive companies also rely upon the airports to ensure that the can receive system critical parts deliveries. The Peterborough Airport, for example, has become an integral part of GM's operation in Oshawa ensuring that parts are available in emergency situations.
At present time there is little evidence to suggest that airports are decisive factors influencing the site selection process for new automotive parts manufacturing facilities. Having said this however, it is important to recognize the role that airports play in facilitating the competitiveness of auto-related business from an overall operational perspective.

Discussions with industry representatives revealed that despite highly sophisticated electronic networking capabilities, automotive companies rely heavily on face-to-face interaction, especially for project managers, designers and engineers. Because of the increasingly global nature of the business it has become increasingly important to be near airports that offer service to a wide variety of manufacturing-oriented destinations.

While Hamilton should continue to strengthen its role within automotive manufacturing cluster, there is no evidence to suggest that lands around the airport provide a competitive advantage above and beyond those located in other parts of the municipality. To a larger extent, the long-term opportunity to attract automotive parts companies to lands around the airport will be dictated by the planned road and highway improvements in the vicinity.

Plastics Manufacturing

Ontario is the centre of the Canadian plastics industry and is home to more than 2,100 plastics companies. The Province trails only California and Ohio in plastics manufacturing output. The success of this industry has been attributed to the resiliency of the automotive sector as well as a cost-competitive manufacturing environment. The plastics industry is divided into five primary market segments:

- Packaging,
- Construction products,
- Automotive components;
- Furniture and

- Electrical/Electronics.

The City of Hamilton has recognized that plastics, along side metal fabrication, will remain one of the City's leading sub-sectors in the manufacturing cluster.

In general, the airport does not provide plastics producers any tangible competitive advantage from a day-to-day operational perspective because the vast majority of plastics shipments via truck and rail. Future highway improvement in the vicinity however will likely create excellent opportunities for manufacturers of plastic products in the vicinity of the airport, enabling them to quickly access markets throughout southern Ontario, New York and Michigan.

Advanced Machine Manufacturing

The Province of Ontario is a leading producer and consumer of machinery of all types. Its broad manufacturing base focusing on automotive, electronics, appliances, plastics, chemicals, and food processing provides a strong foundation for machinery producers.

The provincial government in collaboration with the private sector have made many strategic investments to help ensure that Ontario's maintains its competitive edge of this important R&D-intensive sector.

The McMaster Manufacturing Research Institute (MMRI) was opened in May 2001 to provide McMaster University engineers with an opportunity to conduct industry-relevant research in the areas of polymer, automotive, aerospace and the tool die and mold industries. It is envisioned that 15,000 square foot facility, built at a cost of $12.5M will serve as a catalyst for spin-off opportunities and help stimulate new investment in the Region by R&D intensive manufacturing companies.

The depth of industrial markets, professional and technical skills and research capabilities in Hamilton provide a strong foundation for future investment in the areas of advanced manufacturing. McMaster University, for example, has consistently ranked among the top-ten engineering schools in North America according to the US-based *Gourman Report*. The university rates very strongly in a wide variety of engineering disciplines, including: mechanical, electrical, civil, chemical, computer and manufacturing.

The Province has identified the following machinery sub-sectors as growth opportunities:

- Automation
- Compressors and pumps
- Construction
- Mining machinery
- Material handling
- Fluid power machinery
- Food processing machinery
- Industrial and commercial fans and blowers
- Industrial molds
- Machine tools

- Packing machinery
- Paper-making machinery
- Plastics and rubber processing machinery
- Printing machinery
- Robots
- Sawmill and woodworking machinery

Machinery manufacturers and their customers have extremely tight relational requirements. Shipping parts and dispatching technicians on short notice to client sites are fundamental contractual commitments that must be upheld. The use of airfreight for system-critical parts is commonplace because of its potential to minimize production downtime in the event of equipment failure.

It is also important to note that equipment manufactures also rely upon global suppliers for use in both their own products as well as their assembly processes. Proximity to a full range of cargo facilities, including an airport, will help to ensure that production schedules for their products are maintained.

Manufacturers located close to air cargo hubs achieve significant advantages in terms of both cost and production flexibility. For example a company located north of Toronto (i.e. Vaughan, Richmond Hill, Markham, etc.) may need to ship product by 5:00PM to achieve 9:00AM delivery, whereas a company located close to the airport may ship until midnight to achieve the same delivery time.

7.5.4 Information & Communication Technology

The City of Hamilton's Economic Development Strategy formally acknowledges the Information & Communication Technology (ITC) cluster as a primary growth target.

Although weak market conditions for software companies and electronics and communication devices has lead to large-scale industry contraction and consolidation, the long-term growth prospects, according to most analysts, remains positive. The ITC sector is comprised of companies providing the following types of products and services:

- Telecom equipment manufactures
- Telecom service providers
- Computer equipment manufactures
- Microelectronic component suppliers, designers and developers
- Semi-conductor manufactures
- Software developers
    - Graphics and multi-media tools
    - Network applications and connectivity
    - Document management
    - Database management
    - Industry specific applications
- Digital media production
- IT Consulting
- Internet service providers

The Province of Ontario, in its marketing literature, is currently promoting three ITC clusters: Toronto, Waterloo and Ottawa. While these communities have firmly established themselves as leading international centres for product innovation, other communities around the province such as Hamilton have a unique opportunity to capitalize on internal strengths, such as its highly educated workforce.

McMaster University, for example, is one of the leading computer science and software engineering schools in North America. The university is also home to several research institutes that focus on ITC, including: the McMaster e-Commerce Research Centre (MERC) and the Management of Innovation and New Technology Research Centre (MINT).

Mohawk College of Applied Arts and Technology also supplies a healthy stream of qualified graduates in the areas of New Media, Network Security and e-Commerce.

Although much is attention is given the importance of vibrant and cultural-rich downtowns as a primary motivation behind investment decisions in this sector, the majority of new construction development, with the exception of e-commerce and new media, has actually taken place in suburban locations such as Kanata, Markham, Mississauga and Burnaby.

Given the growing availability of passenger service at HIA, ITC companies also have the added benefit to draw employees from other Canadian tech centres such as Ottawa, Vancouver, Calgary and Moncton.

The lands around the HIA provide tremendous opportunity to attract new ITC businesses to Hamilton and to allow the City establish a tangible physical presence in this sector.

7.5.5 Biomedical

The Ontario government has identified the biomedical industry as a primary investment target for the Province, and has ambitiously set out to ensure that it maintains its position as an international centre of excellence for biotechnology and medical research along side the states of California and Massachusetts.

The Province has identified 5 regional biomedical clusters in Ontario, three vibrant medical/academic centres - Toronto, London and Ottawa, and two up-and-coming centres - Kingston and Hamilton.

Formal recognition of the City of Hamilton in Provincial marketing materials as an *emerging* biomedical cluster provides a major boost to the local industry.

Several significant research facilities ensure that the City maintains an active role at the forefront of clinical research and also provides a well-educated and highly skilled workforce. Major research facilities in Hamilton include:

- McMaster University Faculty of Health Sciences
- Hamilton Health Sciences Corporation
- The Anti-microbial Research Centre (ARC)
- The McMaster Centre for Gene Therapy
- The McMaster Genomics Institute
- The Institute for Molecular Biology & Biotechnology
- Population Health Institute

Through its *Economic Development Strategy*, the City of Hamilton has formally acknowledged its intention to become a top-tier biomedical cluster. It is envisioned that the cluster will be made up of:

- Small research and manufacturing companies;
- Large pharmaceutical companies; and
- Research laboratories that conduct clinical trials.

Among one of the *deliverables* outlined in the City's Economic Development Strategy is the creation of an "Innovation Park" or "Discovery District" in the City dedicated to biomedical research and product commercialization.

There is currently an initiative to plan for the development of a biotech incubator, which would logically be located on the McMaster University Campus due to the proximity of research facilities. However, as initial tenants of the incubator move up the commercialization chain, there will be a need for new facilities off campus facilities: The airport area may represent a reasonable site.

The biomed industry, as with most other R&D-intensive industries, shows strong locational tendencies toward suburban green field locations. In most cases site selection decisions are driven by a number of different factors:

- At the *macro-level*, biomedical companies are heavily dependent upon sophisticated research networks and strong academic traditions to advance their products and to attract top-tier talent. Universities and research institutes therefore play a vital role in both the formation and growth of successful biomed companies.
- At the *micro level*, biomedical companies generally have very specific requirements when it comes to satisfying their operational needs. From a real estate perspective, R&D intensive companies have very demanding building standards that must be adhered to. By and large these standards are driven by health, safety and environmental considerations such as the need for:

    - Large floor plates
    - Ionized water (w/ high purity content)
    - Load bearing floor capacities in excess of 125 lbs/sf.
    - 15'+ ceilings
    - Specialty HVAC systems
    - Uninterrupted power supplies systems

In emerging biomedical locations such as Hamilton, the prevalence of vacant space specially designed for R&D activities (or those which can be easily retrofitted to accommodate such activities) are not typically in abundant supply compared to more established cluster areas, where there are active real estate markets for vacant R&D facilities. Therefore, identifying the best green field locations in Hamilton will become a key factor in Hamilton's ability to attract biomedical companies.

Toronto and Montreal are by far and away Canada's leading centres for biomedical research. In both cities, companies have shown a high preponderance of spatial concentration in business parks around their airports.

A review of three specialty airports in the US (Piedmont, Rickenbacker and Alliance) also revealed that biomedical companies are attracted to employment areas adjacent to the airport.

Discussions with one company in the Fort Worth area, PharmaChem, revealed that the airport is an integral part of its daily business operation. PharmaChem is a leading provider of drug testing kits for private companies, insurance investigators and state law enforcement agencies. The company service customers across the entire US and receives specimen samples back for testing purposes in their in-house lab. The company relies exclusively on overnight courier services (Fed Ex, Emery and US-Airborne) to ship and receive their products. According to a company official, the company is presently considering the potential to establish a new facility around the Memphis airport to be even closer to FedEx's primary shipping hub.

The biomedical industry is heavily reliant upon air shipments for moving a wide variety of materials, such as: drugs, blood, lab specimens and cultures, diagnostic equipment and test results and medical records. For these reasons we believe that lands around the Hamilton airport would provide a suitable location for R&D and distribution facilities for the biomedical industry.

Figure 7-3

Target Sectors – Locational and Infrastructure Requirements

Logistics	Aviation	Manufacturing	ITC	Biomedical
➢ Proximity to customer-base ➢ Integration and linkages with other warehouse facilities (internal and external) ➢ Access to major highway network ➢ Access to intermodal facilities (rail, ship, air) ➢ Level of competition in the marketplace ➢ Availability of real estate with 30 to 50 foot ceilings ➢ Proximity to the US market.	➢ Enrolment/Graduates in post-secondary aircraft-related training. ➢ Name/Frequency of airlines and cargo operators currently serving the airport. ➢ Number of Private aircraft stationed at airport ➢ Size of Airport Facility (acreage, available hangar space, developable area, ➢ Length of Runway ➢ Passenger and Cargo Volumes ➢ Landing Fee structure ➢ Hours of Operation ➢ Down Time (closure due to weather) ➢ Distance from major airports. ➢ MRO Wage Rates ➢ Competition	➢ Proximity to customers ➢ Availability of skilled labour ➢ Wage rate ➢ Government incentives ➢ Quality of Life ➢ Access to major highways ➢ Unionization Rates ➢ Unemployment Rates ➢ Cost of Land and Buildings ➢ Taxes ➢ Pro-business and entrepreneurial attitude of the municipality ➢ Availability of qualified engineers ➢ Opportunities for R&D partnerships ➢ Depth and diversity of manufacturing base ➢ Government sponsored skills - training programs ➢ Expansion Capacity ➢ Utility & Tax Rates	➢ Proximity to Universities and leading edge-research facilities ➢ Concentration of industry-related peer companies ➢ Access to capital sources and active investment community ➢ Access to qualified graduates ➢ Multi-tenant buildings (1-3 storeys)	➢ Proximity to Universities and leading edge-research facilities ➢ Concentration of industry-related peer companies ➢ Access to capital sources and active investment community ➢ Access to qualified graduates ➢ Flexible leasing structures ➢ Public sector commitment to promote the industry ➢ Incubator facilities ➢ Opportunities for shared equipment arrangements ➢ Multi-tenant buildings (1-3 storeys) ➢ Water quality (high purity) ➢ 125 + lbs/sq.ft. floor load capacity ➢ 14 – 15 foot ceiling heights ➢ Highly reliable power supply

Figure 7-4

Typical Site-Specific Requirements

	Logistics	Aviation	Manufacturing	ITC	Biomedical
Building Size (SF)	10,000 – 500,000	10,000 – 500,000	10,000 – 250,000	10,000 – 300,000	1,000 – 100,000
Building Types	Warehouse (Parcel Integrators and e-fulfillment) prestige office (freight forwarders and custom specialists)	Hangar (MRO), prestige industrial (mfg), corporate office (training centres)	Prestige industrial	Prestige industrial, corporate office, multi-tenant commercial office	Prestige industrial, multi-tenant commercial office
Lot Sizes					
Range	1 – 50 acres	1-50 acres	1-50 acres	1-20 acres	1-10 acres
Typical	6 – 8acres	2 – 6 acres	2 –4 acres	1 – 2 acres	1 – 2 acres
Air-side Access Requirement	Moderate to High	Low (aircraft parts) to High (maintenance)	Low	Low	Low
Highway Access Requirement	High	Low	High	Moderate	Moderate
Highway Exposure Requirement	Low	Low	Moderate	Moderate	Moderate
Water Servicing Requirements	Low	Low	High	Moderate	High
Electrical Servicing Requirements	Moderate	Moderate	Various	Moderate	Moderate

8.0 AN ACTION PLAN FOR HIA

8.1 Land Use Vision

The study area includes some 5,800 acres for potential future airport related uses. Although all of this land will not be required for uses directly related to the airport, it must be planned in a manner that supports long-term airport operations.

There are a number of strategic areas in the vicinity of the airport that must be given high priority as part of future planning for the lands around the airport. These are described below and summarized on Figure 8-1.

A. Lands Capable of Airside Access

Lands abutting the airport have a premium value, according to the representatives at the benchmarked airports. Those lands that can provide airside access, offer a unique advantage that cannot be duplicated elsewhere in the region. With limited opportunities at Pearson, they offer a development opportunity that could be strategic for the Province. TradePort's Master Plan identifies a number of parcels suitable for airside accessibility. These total approximately 350 to 400 acres, a small portion of which (i.e. 15%) are developed with existing airport related uses. Some of these lands, on the east side of the airport, are within the Airport Industrial-Business Park and are designated Airport Related General Industrial in the Secondary Plan for the area. The remaining lands are situated in Special Policy Areas 1 and 2. We would recommend that these lands be reserved for future airport uses, particularly those requiring airside access. We would anticipate that these lands would accommodate primarily logistics and aviation activities with larger parcel sizes (e.g. in the 6 to 8 acre range). There will, however, be some variation depending on the type and scale of the business operator.

B. Existing Airport Industrial Business Park

The existing business park comprises some 780 acres, including the L-shaped parcel north of the airport. Excluding the lands identified above with airside access, the remaining business park lands comprise approximately 600 acres. These lands are largely on the west side of the existing Highway 6 route. Within this area, Orlick Industries has purchased a 53-acre parcel for a future auto parts facility and other airport related uses. This development could help to spear head additional development in the area.

The business park is designated in the Official Plan and the Secondary Plan and is partially zoned for industrial and commercial uses. The fact that the site was zoned was a prime reason motivating Orlick's land acquisition in this area as opposed to another site in proximity to the airport. It is likely that, until additional lands are designated and zoned, the Business Park lands, particularly the sites currently zoned for industrial and commercial uses, will be perceived as less risky for potential developers and businesses seeking airport access.

The business park lands, however, have disadvantages that may make them less attractive for certain businesses. With the exception of the southern most business park lands, they do not have direct expressway access or exposure, which may be a deterrent for companies desiring a heightened corporate profile or more immediate accessibility. Property ownership is fragmented particularly along the Highway 6 and Twenty Road frontages, which means that consolidation will have to occur for some of these lands to be developed. This area could be suitable for manufacturing operations with land closer to the new Highway 6 extension suitable for warehousing and logistics operations. Parcel sizes away from the Highway 6 extension may be smaller (e.g. 2-4 acres), whereas larger lots would be expected towards the south.

C. Gateway Site at Airport Entrance

Lands at the quadrant of the new Highway 6 and the access road to Airport Road directly south of the Airport will be the principal gateway into the airport for passenger traffic. These lands should ultimately be developed for prestige industrial/airport uses that have design standards reflecting the economic importance of the airport. These lands could comprise between about 100 and 200 acres. The northern portion of these lands are situated within Special Policy Area 2.

D. Strategic Lands Near New Highway 6

Hamilton has virtually no vacant serviced employment lands available on a major highway. As our discussions with other airport authorities and companies within the benchmarked airport business parks suggest, highway accessibility was as much, if not more of a factor influencing location decisions than the airport. In general, the first wave of businesses comprised those with direct linkages to the airport (e.g. couriers, air cargo companies, e-fulfilment firms, distribution centres etc.). However, after the airports became established as major business centres, other companies, many of which had no direct requirement for air operations were attracted to the area. The superior highway access around airports is an important attraction for these firms.

Lands along the new Highway 6 alignment, extending from Garner Road to Glancaster Road between Fiddlers Green and Southcote Road, comprise approximately 1,000 to 2,000 acres.

As the principal corridor leading to the airport, these lands could provide a higher profile to businesses that would require visibility and a prestige business park setting. Higher density uses, such as offices and hotels should be concentrated around interchange locations.

This area also offers an opportunity to accommodate large land users, such as distribution centres, corporate campuses, etc. (e.g. uses requiring 6 to 8 acres and more). In addition to having direct access to the Highway 6 extension, the corridor also benefits from its current composition of relatively large land parcels that will facilitate land assembly.

8.2 Recommended Airport Related Land Priority Allocation

Figure 8-2 summarizes our recommended allocation of priority lands for airport related uses. These lands should be given first consideration for airport related development.

Figure 8-1
Proposed Airport Related Land Allocation

Location	Approximate Acreage (1
Airside Access	350 - 400
Gateway Site at Airport Entrance	100 – 200
Strategic Lands Near New Highway 6	1,000 – 2,000
Existing Business Park(2	600
Total	**2,050 – 3,200**

1) Acreages are intended to represent gross acreages and should be viewed as approximate estimates only. More detailed land calculations should be undertaken taking into consideration finalized area limits, the existence of woodlots and other environmental features, the Highway 6 right-of-way, and the Mid Peninsula Corridor alignment.

2) Excludes lands with airside access included in the above total.

The inventory outlined in Figure 8-1 provides the City with a sufficient land base to make an impact as a planned airport community, with sufficient variety in terms of locations and site sizes to meet the needs of firms within the target sectors. It reflects a vision of what could take place near the airport on surrounding lands. We would note, however, that this analysis has not addressed land use and servicing constraints that may impact the potential supply, as well as, Official Plan and Provincial Policy Statement requirements that may impact future land use in the area and the airport.

Based on the benchmarked airport communities, the extent of industrial land designated in conjunction with the airports ranges from about 2,000 acres at Piedmont to 9,000 acres at Rickenbacker and 10,000 at Alliance. Over the past 10 years, absorption at Alliance and Rickenbacker has averaged between 200 and 300 acres per year. Comparable data is not available for Piedmont. In order to maintain a 30 year supply, at this pace, Hamilton could require that as much as 9,000 acres be set aside for airport related employment lands.

This level of absorption is significantly greater than that experienced by most municipalities in the Golden Horseshoe over the past twenty years. Furthermore, it is questionable whether the rapid rate of growth experienced around the benchmark airports over the past 10 years will continue for another 10 to 20 years. Despite its strategic advantages, Hamilton is also not able to offer the same level of incentives as the U.S. jurisdictions, which may compromise its ability to keep the same pace of absorption as the US examples. Further analysis of the impact of US subsidies on absorption rates at the US airports would be required to determine if consistent yearly absorption of 200 to 300 acres over 30 years is realistic for HIA.

The Industrial Business Park Review will include a measure supply and demand assessment of Hamilton's industrial business park land needs. That study, together with this report, will provide a basis for determining how much land is ultimately required at the Airport.

8.3 Other Surrounding Lands in the Study Area

Of the balance of the 5,800 acres in the Study Area, a portion (approximately 500 acres) has been identified in TradePort's Master Plan for a potential future airport expansion including extension of the north-south runway and a reserve for a future terminal.

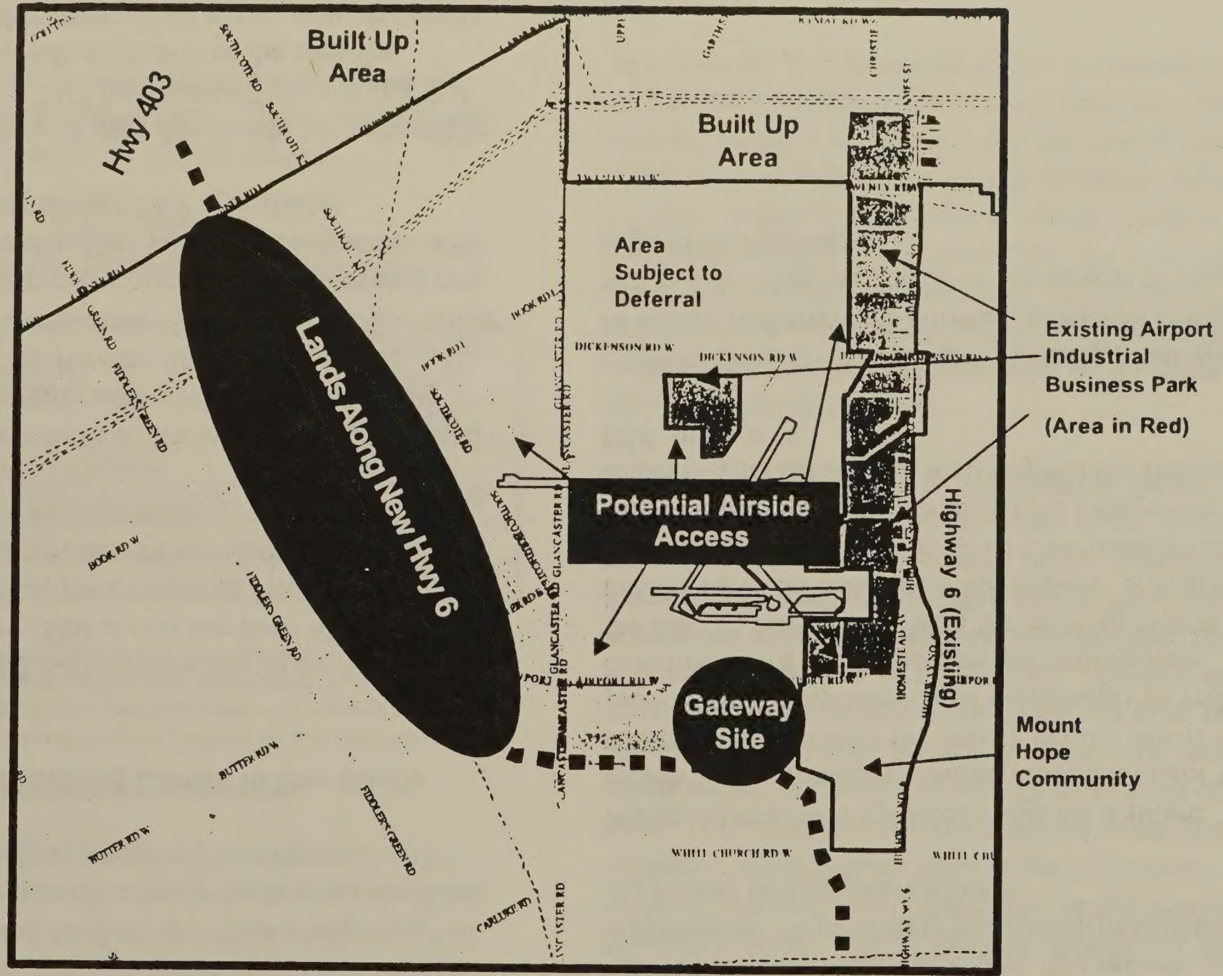
The future of the lands north of Dickenson Road (Official Plan Deferral #11) is being addressed through the City's Industrial Business Park Review Study and Growth Related Integrated Development Strategy (GRIDS). Other areas may continue as rural or could contain uses that may be identified at a later date that would be compatible with an international airport having 24/7 operations.

There are a wide variety of uses that would be compatible with the operation of a 24/7 international airport and that would enhance the overall attraction of the area for businesses. These other uses would locate near an airport but not land required for strategic airport related uses. For example, Circle T Ranch at AllianceTexas is a 2,500 acre master planned recreation community, including golf courses, a major retail centre an 800 acre corporate office centre, hotels, vacation properties and residences. There is also a trend to locate major tourism attractions, such as theme parks, convention centres, spa resorts, sports stadiums etc. in proximity to airports to take advantage of the access to non-local markets.

AllianceTexas also includes plans for a future "wired" residential community centred around a major recreation complex. Essentially the theory behind this is that it provides a nearby residential community to reduce commuting travel in a somewhat remote area. This is not the case in Hamilton, where the built up area is not a considerable distance from the airport. It is also important to recognize that the residential communities developed as part of alliance are a minimum of 6 kilometres from the airport. This distance is well beyond the limited of the HIA study area.

Caution should be used when planning lands around HIA to ensure that any uses allowed, particularly residential, will not threaten the ability of the airport to continue to expand its operations.

Figure 8-2
Recommended Airport Areas of Strategic Importance


Built Up Area
Hwy 403
Built Up Area
Area Subject to Deferral
Lands Along New Hwy 6
Potential Airside Access
Existing Airport Industrial Business Park
(Area in Red)
Highway 6 (Existing)
Gateway Site
Mount Hope Community

8.4 Locational Opportunities for Target Industries at HIA

Logistics

For the most part, logistics firms will be looking for sites with excellent highway access. Certain freight forwarder and courier firms will require airside access, although the bulk of companies in this sector will require larger sites for warehousing and materials handling, with sufficient land to accommodate trucking activity. A direct connection to the airport is not necessary for most firms, some of which may have no requirement for air carriers. The ability to access rail and shipping may also be important to some firms, although for the majority of firms likely to be attracted to the airport vicinity, the ability to accommodate truck traffic will be of paramount concern.

Aviation Cluster

Firms involved in maintenance, repair and overhaul of (MRO) aircrafts will require airside access. Firms in the MRO sector tend to cluster with complementary activities to pool a full range of aircraft service facilities in one location. In this way, they benefit from cross servicing within the cluster. The local availability of training courses in aircraft repair, such as those offered through community colleges is also important to the MRO sector.

The manufacture of aircraft parts does not necessarily require a location in proximity to an airport, although the availability of land in a vibrant airport industrial area could be seen as beneficial to some companies. These firms may be suitable to the existing business park. It is also important to recognize that locational decisions made by aircraft parts manufacturers often involve significant subsidies to off set accommodations and labour costs.

Manufacturing Cluster

Of the manufacturing sub-sectors identified as being most appropriate for the airport, advanced machinery manufacturing is the one most likely to make regular use of airfreight services. This sub-sector would be most attracted to a location in proximity to an airport, due to the need to dispatch technicians and parts to client sites on short notice. Advanced machinery firms, however, would generally not require sites with airside access.

The other manufacturing sub-sectors – automotive parts and plastics have a much greater orientation to the highway system.

Information Technology and Bio-tech Clusters

These two clusters share many of the same locational patterns. Firms in these sectors are generally seeking a high quality campus setting. The attraction of these firms may be a longer-term proposition than the other sectors for several reasons:

- The technology industry, in general, is going through a restructuring period following the rapid growth experienced in the 1990's.
- A possible strategy for the bio-tech industry is to develop an incubator facility at McMaster University. The airport lands could represent an opportunity to attract second and third generation firms.
- These sectors have a high propensity to cluster, often around a large corporate entity. The initial development of technology clusters can be slow, prior to a rapid growth phase.

This, however, should not preclude earlier development of a biotech or IT cluster, if a major firm in either of these sectors were attracted to the airport lands. Regardless of when development of these sectors occurs, they are important targets for the City. Provision should therefore be made for a campus suitable to ITC and biotech firms.

8.5 Land Assembly

A significant success factor in the development of the benchmark airport communities was the assembly of lands under a co-operative venture between the municipalities and private developers. In the case of Alliance, the land was privately owned. The role of the municipality was to work with the developers to create the ultimate land use plan and zoning scheme. In the case of Piedmont Triad and Rickenbacker, much of the land was assembled by strong arms lengths agencies comprised of both public and private sector representation.

Because much of the land was controlled by a single entity, lands could be developed in a co-ordinated manner taking into consideration both short and long-range objectives as well as balancing the financial needs of the project and the economic development goals of the region.

Given the fragmentation of land holdings in the area around HIA and the fact that speculation is already beginning to occur, it may be difficult for a private entity to acquire the majority of lands.

The later approach, whereby an authority is created with the powers to acquire and develop the surrounding lands would also be a highly desirable alternative, providing that (a) It was provided with sufficient seed capital; and (b) the municipality was capable of using its powers of expropriation to assist in acquiring strategic parcels. This strategy tends to work best when the authority can control the bulk of land so that it is not competing directly with private landowners. Given the extent of land around HIA, it is likely that this approach would be difficult to implement.

The best alternative, therefore, would be for the municipality to develop a plan for the lands surrounding the airport through consultation with the landowners. This process has begun with the Industrial Business Park Review. In the beginning, the City should spearhead the planning and land assembly process. An authority could be created once development has achieved a certain amount of momentum and developers have been identified who would have a long term stake in the area. The authority would have the power to acquire and develop strategic parcels or to form joint ventures with private companies. This would occur in the case of strategic projects, which the private sector, on its own, may not be interested in or capable of developing. Examples could be the acquisition of lands for a future technology park or the gateway site.

8.6 Planning and Infrastructure Priorities

We have not undertaken a detailed assessment of the servicing requirements for the airport lands, however the following comments provide commentary as to the priority for planning and servicing each of the proposed development areas.

In the US examples, Federal and State subsidies allowed much of the required infrastructure to be in place prior to development. This would be the ideal situation for HIA. Given the timeframe of development, however, only a portion of these lands needs to be serviced as a first phase.

Existing Airport and Business Park Lands

As we understand, the airport is near to development capacity and has reached its capacity in terms of natural gas service. Several tenants have expansion plans that cannot be met due to the lack of availability of natural gas. A significant water pressure concern also exists. The airport itself is without question the highest priority in terms of servicing. First, because of its economic importance to its primary markets within the Golden Horseshoe. Secondly, the airport represents infrastructure that will attract growth to the surrounding area and thirdly, because it demonstrates the commitment of the City and other stakeholders to a world-class airport and the vision for an aerotropolis. In terms of short-term servicing, the most immediate need would be the airport itself and lands adjacent to it within the business park.

The existing business park is not as well oriented to the future expressway system as the lands near the new Highway 6. It is however, currently designated and partially zoned for airport related uses. Once the new Highway 6 is open, there will likely be an increased demand for land in the vicinity of the airport. It may be more expeditious and cost-effective to upgrade and/or bring additional services to the existing business park to meet this demand as a first phase.

The industrial Park Review and pending Airport Area Servicing Strategy initiated by the City will address the requirements and feasibility of services in this area. The Industrial Business Park Review is assessing the viability of the Airport Business Park (among others) for industrial uses relative to servicing costs and market conditions. The study is determining the characteristics required for success available at the business park, including what infrastructure exists, and devising a strategy to bring the missing elements to the Park.

Potential Expansion Areas

Several of the areas identified as being of strategic importance to the Airport are currently Rural lands located outside of the Urban Area Boundary. Expansion of the Urban Area Boundary is subject to an Official Plan amendment and prescribed provincial and city policy requiring an evaluation of municipal-wide need, agricultural, environmental and social impacts, and cost of servicing. Additional study will be required to provide this evaluation. The Industrial Business Park Review and pending Airport Area Servicing Strategy will contribute to this analysis. These strategic areas include adjacent lands with potential for airside access located outside of the existing business park, the gateway site and lands along the new Highway 6.

There is very little vacant serviced industrial land available in Hamilton with expressway frontage. Our research indicated that the vast majority of businesses attracted to airport communities will have a very strong requirement for highway access. As a result, the new Highway 6 Extension will be an attractive business location that may include: prestige business campuses, large sites for distribution centres and other space extensive uses, office uses, and supporting business services and commercial uses, such as hotels. Interchange sites, particularly the gateway site should be allocated the most intensive uses with high design standards. Ideally, these lands should be serviced first, but for practical reasons it is be more expeditious and cost effective to extend services into a portion of the designated business park lands as a first phase.

8.7 Subdivision and Site Planning Must be Flexible but Provide Sufficient Direction to Developers

Based on our interviews with representatives from the airport business communities in the United States, there is somewhat of a diversity in the range of companies attracted to airports, particularly during the latter development waves, At this point, firms may be more attracted to the business activity cluster and resulting infrastructure growth than to the airport itself. During initial planning, officials did not anticipate many of the technological and other factors such as e-fulfilment and technology clusters that contributed heavily to the success of their airports as economic development generators. For this reason, some flexibility must be incorporated into the long term planning process to allow for new technologies, development formats and economic trends.

Within Alliance, although there was a range in building sizes, the typical parcel was in the 10 to 12 acre range, with a building foot print of about 200,000 to 250,000 square feet. Officials at Rickenbacker indicated that parcel sizes within their development tended to be somewhat smaller (i.e. in the 6 to 8 acre range, with structures of about 100,000 to 200,000 square feet). This may reflect the fact that Alliance tends to play a hub function for a wider region, and as a result, attracts larger warehouses and logistics operators. In addition to the typical parcel size requirement, is the potential for very large land uses, such as the one million square foot FedEx sorting Hub at the Piedmont Triad and the 53 acre air trade centre at Alliance.

In the Hamilton and Canadian context, particularly with respect to the logistics and manufacturing clusters, it is expected that operations could be smaller than their U.S. counterparts, with typical lot sizes ranging from about 2 to 4 acres for manufacturing operations to 6-8 acres for logistics companies. At the same time, land should be available for much larger land users.

One means to facilitate this is through block plans of subdivision, whereby a road pattern is delineated in a manner that allows services to follow on the same alignment. Individual lots can be subdivided to respond to the needs of specific users. This approach would require certain municipal policies specifying minimal lot sizes and other site planning regulations, but provides for flexibility in accommodating large space users that could act to attract other business to the area.

8.8 The City Must Promptly Assert its Vision

There are two potentially significant threats to the realization of the City's vision for HIA. The first, which has been discussed in a number of places in this report, is the potential challenge that may come from persons seeking to develop the area around the airport for residential uses that may be incompatible with airport operations. For this reason, it is critical for the City to not only build wide spread community support, but also to formalize its vision through the planning process.

Equally as important is to ensure that the City's vision is strongly represented as part of the Federal Government and Greater Toronto Airports Authority (GTAA) investigation into the viability of a Pickering Airport site. As we understand, Transport Canada has been asked by the GTAA to determine the need for an airport that would act as a "regional reliever" facility for the Golden Horseshoe, which is a role that HIA is currently developing for itself.

The GTAA is already studying need and land use issues at the Pickering site. For this reason, it will be essential for the City to develop a strong business case for its vision of HIA, which addresses the following issues:

- Whether two "reliever" airports are required in the region, and if not, which is the most appropriate location for this function;
- Whether Hamilton's vision for an airport community is still viable if a Pickering airport is developed; and
- Whether air cargo/integrated courier hub operations should be provided in both Hamilton and Pickering and if not, which is the most appropriate site for these facilities.

These issues must be addressed for both internal planning purposes by the City of Hamilton and to ensure that studies conducted with respect to Pickering proceed in a manner that recognizes the broader regional economic implications of a Pickering Airport.

8.9 The City Should Spearhead the Initial Development of the Airport Lands

The City of Hamilton has already declared the development of HIA and surrounding lands its number one economic development priority. As the owner of HIA, it is imperative that the City plays a lead role in influencing the development of the surrounding lands. This is because the development of these lands will play a critical role in the success of the airport. For example, the development of incompatible residential uses may place restrictions on flight operations, thereby impacting the ability of the airport to service its customers and ultimately attract economic development to Hamilton. Conversely, a strong industrial base in the vicinity of the airport will support and solidify its function as an important part of Southern Ontario's transportation infrastructure. Similarly, the road and servicing network in the vicinity of HIA will similarly affects its success.

The City as the leader of the airport development initially should take on the following functions:

- The creation of a development strategy for the Study Area, with input from TradePort, the landowners and other stakeholders;
- Facilitators of the land assembly process;
- Where essential, to use its powers of expropriation to secure properties critical to the success of the airport and the development strategy;
- To market development around the airport;
- To provide local infrastructure as required, with guidelines from the Industrial Business Plan Review Study; and

To liase with the Province and Federal Government, where mutual interests exist

8.10 Creation of an Authority to Champion the Development of the Airport Area.

Once sufficient momentum has occurred, initial infrastructure is in place and development of the surrounding lands has commenced, we would recommend the formation of an authority comprised of representatives from the City, the Province, the Federal Government, TradePort, and private landowners with responsibility for:

- Advising on strategic and land use planning issues;
- Marketing the airport area;
- Facilitating business location to and expansion within the airport area;
- Acquiring lands strategic to the airport area to secure the continued compatibility of land uses with airport operations or to facilitate development by the private sector consistent with the airport development plan; and,
- Developing or joint venturing with the private sector to develop strategic projects that may not be undertaken by the private sector on its own.

The intent of the authority would not be to compete with the private development industry, but to assist private development and to undertake actions to ensure the implementation of the airport area plan.

Although not directly comparable, the closet example to such an authority, would be the City of Toronto Economic Development Corporation (TEDCO). The new mandate for this corporation is to acquire, development and market brownfields lands as employment generators. TEDCO is an arms length corporation with the City as its sole shareholder. Its board comprises city staff, politicians and appointed citizens.

8.11 The Role of TradePort

The primary role of TradePort will be to operate HIA, continue to plan and develop airport lands in co-ordination with the authority and the City and to ensure that the airport is able to operate in a manner that supports the airport area plan. It will be important for the airport to have early and regular input into the planning and development process. As a result, TradePort on behalf of HIA should be a commenting agency on development in the study area.

8.12 The Role of the Province

The primary role of the Province will be to incorporate HIA into its business development initiatives as a key element of Southern Ontario's regional economic infrastructure; to facilitate highway construction within the airport area; and to assist with appropriate funding through applicable programs to ensure the availability and timeliness of infrastructure development.

8.13 The Role of the Federal Government

The primary role of the Federal Government will be to market HIA through its business development and export initiatives and to assist airport infrastructure funding through applicable programs.

Appendix A

Summary of Municipal Economic Development Strategies Related to Airports

Appendix A: Summary of Municipal Economic Development Strategies Related to Airports

Municipality	Targeted Industry Sectors	Policy Considerations (Airport Related)	Other Issues
Hamilton	• Industrial Manufacturing • Agri-business • Aerotropolis • Health & Biotechnology • Information & Communications Technology • Film	**"Economic Development Strategy Report":**[1] • Identifies the development of an "Aerotropolis" as the number one priority • Recommends that energy and money needs to be directed to the development of airport and adjacent lands • Recognizes the presence of a cargo and passenger airport as impacting every one of the identified industry sectors • Identifies transportation infrastructure (road, rail, port and airport) seen as significant site location advantage but need to be improved • Recommends pursuing the feasibility of an "Innovation Park" for Health and Biotech Sector – Airport lands are a consideration	• Incomplete transportation links impacting opportunity • Lack of large parcels of available, serviced industrial land • High industrial tax rates relative to other GTA municipalities • Growth of other airports such as Pickering, Niagara / Buffalo, Montreal

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[1] Economic Development Strategy Report: Hamilton's Clusters of Innovation. Final Report, May 2002

Municipality	Targeted Industry Sectors	Policy Considerations (Airport Related)	Other Issues
Burlington	• Financial Services • Software Development • Metal Processing / Steel Fabrication • Automation for Manufacturing / Distribution	*"Shaping a High Performance Economy for Burlington"*[2]: • Encourages land developers to consider more speculative development in an effort to increase the inventory of developable land • Encourages planning policies that preserve existing and new employment areas • Recommends the development of incentive policies for the conversion of obsolete development projects to provide new or incubator space for emerging businesses • Identifies the opportunity to enhance domestic and international services from Hamilton International Airport • Recognizes the presence of a cargo and passenger airport n as impacting all industry sectors particularly computer software development • Actively marketing Burlington	• Lack of available, serviced land and buildings • Higher valued companies are looking more closely at issues like proximity / access to airports • Proximity to Hamilton and Pearson airports seen as critical location factor • Highway access to the US is a major competitive asset • See themselves as competing directly with Brantford / Hamilton / Ancaster • Met with Tradeport in the recently to encourage completion of an economic impact analysis that looks at the importance of the airport in the region • Believes that municipality and Airport Authority have an isolated understanding of the relative importance of the airport • Need an effective strategy for the development of the airport - make this an issue for other levels of government in the context of growth in the GTA – Smart Growth panels • Pressure on existing infrastructure in the GTA / Golden Horseshoe and

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[2] Shaping a High Performance Economy for Burlington. Final Report, February 2001

Municipality	Targeted Industry Sectors	Policy Considerations (Airport Related)	Other Issues
	• Life Sciences / Health Care • Media / Entertainment • Head Offices / Regional Offices / Back Offices of Manufacturing and Business Service Industries • Tourism	commercial, tourism, manufacturing and institutional • Promotes access to travel gateways - access and proximity to Hamilton and Pearson airports • Promotional materials developed to support automotive, tourism, digital media, plastics and machine tool industries	the top factors Halton business executives consider when making an investment decision • Oakville's key competitive clusters rely on the Hamilton Airport to move people and goods • Airport increasingly seen as a magnet for attracting business to Halton Region • Airport is also viewed as a boost to tourism
CTT (Cambridge, Kitchener, Waterloo)	• Advanced Manufacturing • Automotive • Machining and Information Technology	***"CTT 3 Year Strategic Plan"[4]:*** • Target markets include Greater Toronto, Mid West Corridor (Chicago, Detroit, Ann Arbour, Minneapolis, Dallas, Houston, Austin • Targeted geographic areas selected on basis of industrial concentration, and linkages with region etc.	
Brantford	• Call Centres • Auto Parts • Warehousing / Distribution • Machining / Metal Working	**"Brantford Economic Development Action Plan"[5]** • Opportunities affiliated with housing industry, agri-business, airport & downtown will be	• Looking to joint market brownfield sites with Hamilton's Economic Development Department • Looking to develop a master plan and business plan for the Brantford Airport – state that they are not interested in

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[4] Canada's Technology Triangle, 3-Year Strategic Plan. 2002-2004

[5] Brantford Economic Development Board / Department Action Plan 2001 & Beyond. January 2001

Municipality	Targeted Industry Sectors	Policy Considerations (Airport Related)	Other Issues
	Metal Working • Food Processing • Plastics • Film Industry	explored • Instituted an Airport Task Force that includes customer service survey of airport users – focused on the growth potential of Brantford airport • Actively marketing access to three international airports in particular the lower cost option of Hamilton and Buffalo • Pursuing cooperative marketing efforts with the Airport Commission	completing with Hamilton but rather will be looking to the type of activities that Hamilton is not likely to be involved in – handling and servicing of corporate jets
Niagara Region	• Tourism • Advanced Technologies • Manufacturing • Agri-business • Call Centres	*Niagara Economic & Tourism Corporation 2001 Annual Report:* • Tourism focus – targeted tourism sites, golf courses, viticulture, wineries • Advanced Manufacturing focus - • Identify and create an inventory of potential investment ready brownfield development sites as part of the Region's Smart Growth initiatives • Supports the construction of mid-peninsula corridor	• Formed the Niagara Aerospace Partnership for Learning in an effort to attract, develop and retain quality staff in the aerospace sector • In responding to investment enquiries staff routinely refer to all of the area airports from the small municipal airports to the larger airports of Hamilton Buffalo and Pearson • Senior staff feel strongly that if infrastructure is in place there would more likely be a comparison made with the access and convenience of Buffalo rather than Pearson – at least as it relates to Niagara/Hamilton/ Halton businesses and corporate executives • Because of the nature of product

Municipality	Targeted Industry Sectors	Policy Considerations (Airport Related)	Other Issues
			moving in and out of Niagara predominance is given first to the fast movement of truck and rail shipments – after that discussion will focus on air-related traffic • See considerable opportunity to establish and operate charters from US and Europe in the Niagara/Hamilton/Toronto area

Appendix B

List of Persons Interviewed

Appendix B

List of Persons Interviewed

A. Stake Holders and Local Land Owners

Company	Contact Name
Orlick Industries	David Braley, President
TradePort International	Tony Battaglia, President
Federal Express, Hamilton	Jerry O'Flynn, Manager, Ramp Operations
Purolator Canada	Andrew Weidner, District Manager
Smith Industries	Ken Hunter, General Manager
UPS Canada	Tom Bontje, Manager

B. Economic Development Corporations

Company	Contact Name
Brantford Economic Development & Tourism Department	John Frabotta, Director
Burlington Economic Development Corporation	Don Baxter, Executive Director
Cambridge Economic Development Department	Leah Rozic
Canada's Technology Triangle (CTT)	Randy Ellis, Chief Executive Officer
Niagara Economic & Tourism Corporation	Alan Teichroeb, Manager, Business Development
Oakville Economic Development Alliance (OEDA)	Elaine Scrivener – Marketing and Partnership Development Officer

C. Airport Authorities

Company	Contact Name
Alliance Airport	Steven Aldrich, Vice President
Brantford Airport	Hoda Kayal, Manager
GTAA	Guy Maynard, Cargo Manager
Hillwood	Brenda Lacey, Hillwood Customer Relations Manager
Ottawa International Airport	Karen Hakib, Airport Executive Office
Piedmont International Airport	Dan Lynch, Senior Vice President
Piedmont Triad International Airport	Stephanie Freeman, Marketing

Company	Contact Name
Piedmont Triad International Airport	Mickey Elmore, Director of Development
Rickenbacker Airport	James Mako, Planning Manager
Rickenbacker Port Authority	James Mako, Planning Coordinator
Trade Port International Corporation	Adrian Pocobene, Manager, Marketing, Cargo, & Supply Chain Services
Trade Port International Corporation	Mirella Lio, Marketing
Buffalo International Airport	Linda Francis, Assistant to the Airport Manager
London Airport	Mike Seabrook, Manager
Niagara Falls Airport	Conrad Hatch, Manager

D. Companies in Proximity to Airports

Company	Contact Name
Dow Corning Corporation, Greensboro NC	Dwayne Goslin, Facility Services & Real Estate
Forward Greensboro	Heather Bischoff, Manager
Lucent Technologies, Greensboro NC	Tracy Siegmund
NAPA Autoparts, Greensboro NC	Harvey Kovell, Operation Manager
National Pipe & Plastics, Colfax NC	Bernie Morgan, Projects Manager
Federal Express, U.S.	Scott Pflueger, Vice President, North American Facilities
UPS, U.S.	U.S. National Facilities
American Express, Alliance	Harry Warren, Call Centre Facilities Manager
Bridgestone/Firestone, Toronto	Carol Bonazze, Vice President, Facilities
Emery Airfreight, Toronto	Don Hogan, General Manager
Burlington Northern, Dallas	Fred (Fritz) Draper, Senior Supply Management
Spiegal/Eddie Bauer, Rickenbacker	Jerry Pieniazek, Director, Logistics
Eagle Logistics, Rickenbacker	Diane Beaton, Manager, Facilities Manager
Gulfstream Aerospace – Dallas TX	Judy Crease, Manager
Nokia – Dallas TX	Dan Powell, Facilities Manager
PharmaChem – Dallas TX	Niel Fortner, Manager
Sprint – Dallas TX	May Croff, Facility Manager

E. Other

Company	Contact Name
Balir Blanchard Stapleton, Hamilton	Gary Stapleton, Broker
Ontario Aerospace Council – Waterloo ON	Rod Jones, Executive Director
Ontario Investment Services	Luc Gartner, Senior Advisor
PricewaterhouseCoopers	Ilya Bahar, Supply Chain Management Specialist
PricewaterhouseCoopers, Financial Advisory Services – Houston TX	Joni Ffrench, Airport Specialist

F. Steering Committee

Company	Contact Name
City of Hamilton, Economic Development Department	Sylvia Renshaw, Business Development Consultant
City of Hamilton, Planning and Development Department	Alan Waterfield, Planner
City of Hamilton, Infrastructure and Enterprise	Robert Shamess, Acting Manager, Strategic Planning
Province of Ontario, Ministry of Enterprise, Opportunity and Innovation	Chris Burke, Manager, Urban Economic Development Branch
TradePort International	Ken Mitchell, Director, Public and Government Relations

SECTION 6

SECTION 7

SECTION 8

SECTION 9

SECTION 10

AFFECTS WARD 1

10.1

CITY OF HAMILTON

PLANNING AND DEVELOPMENT DEPARTMENT
Long Range Planning and Design Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date: **File:**	February 28, 2003 West Harbour	**Prepared by:**	Paul A. Moore, MCIP, RPP (905) 643 -1262 Ext. 262

SUBJECT: **City Initiative for the Passage of an Interim Control By-law on lands Located in the Area of Barton Street and Tiffany Street of the West Harbour Planning Study Area (PD03058) (Ward 1)**

RECOMMENDATION:

(a) That Council directs that a planning study be undertaken in respect of the land use policies in the area described on Appendix "A" attached to Report PD03058.

(b) That an Interim Control By-law be passed pursuant to the provisions of Section 38 (1) of The Planning Act, R.S.O., 1990, for the lands zoned "K" District and shown on Schedule "A" of Appendix "B" to Report PD03058, to prohibit, save and except for such lawful uses carried on immediately prior to the passage of the Interim Control By-law, the use of land, buildings or structures for any uses permitted in the "K" District, for a period of one (1) year from the date of the passage of the by-law by Council.

(c) That the Interim Control By-law attached as Appendix "B" to Report PD03058, which has been prepared in a form satisfactory to Corporate Counsel, be presented to Council for passage.

(d) That the Interim Control By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1482 and that the subject lands on zoning District Map Nos. W-3, W-11, W-21 and W-21 be noted as S-1482.

Lee Ann Coveyduck

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

The purpose of this report is to recommend the passage of an interim control by-law into the area of Barton/Tiffany Street Industrial Area as shown on Appendix "A" of Report PD03058. This specific area was identified as an area to introduce interim control since it could very well see the most significant land use changes as part of an ongoing secondary plan study (West Harbour Planning Study). The area proposed to be made subject to interim control is located in close proximity to residential, open space and recreational land uses. The area's long term viability as an industrial area will be examined as part of the final recommendations for the new secondary plan for the entire West Harbour Planning Area.

The purpose of introducing an interim control by-law is to prohibit any new use permitted by the "K" zoning District for a period of 1 year. Interim control by-laws are used in an effort to try to avoid a situation where a potentially non-compatible land use could be introduced into the study area prior to any future land use recommendations being determined for the study area. It should be noted that all existing uses located in this area would be permitted to continue as they existed on the date of passing of the interim control by-law.

The Planning Act states that where Council have directed that a study be undertaken in respect of land use planning policies in the municipality or defined area, the Council may pass an interim control by-law to be in effect for a period of not more than 1 year, prohibiting the use of land, buildings or structures for such purposes as they are set out to be used in the zoning by-law. The by-law may be extended for a period of not more than one more year so long as that a total of 2 years is not exceeded.

BACKGROUND:

The purpose of passing an Interim Control By-law on the lands zoned "K" District in the City of Hamilton Zoning By-law and located in the area of Barton Street and Tiffany Street is to permit a study of land uses within the area while restricting the introduction of any new uses while the study proceeds. All uses existing as of the day of the passing of this by-law will be permitted to continue.

The effect of this by-law is that save and except uses carried on immediately prior to the passage of the Interim Control By-law, the current land uses permitted in the "K" District would be prohibited for a period of 1 year.

With the adoption of the 2002 budget, Council approved the preparation of a Secondary Planning Study to be completed for the West Harbour Planning Study Area. The consulting team of Urban Strategies, Stantec and Paradigm Transportation Solutions has been hired to complete the study which includes a transportation and infrastructure Master Plan along with the Secondary Plan, all to be completed under the new integrated Environmental Assessment/ Planning Act process.

To-date, interviews with stakeholders, members of staff and Council have been held. A workshop and open houses have also been held. The first phase of this study was completed with the Opportunities and Challenges Report at the end of last year. The next phase of the study will establish a vision and design options for the West Harbour Planning Area and will be completed by the spring of 2003. The entire study, including land use and zoning change proposals, is anticipated to be completed by January 2004.

The study area for the Interim Control By-law comprises the industrial area located in the vicinity of Barton Street and Tiffany Street as shown on Appendix "A" to Report PD03058. This area contains such businesses as Rheem and Whitestar Auto Wreckers. There are other industrial and commercial uses as well as numerous residential land uses located in the vicinity of Barton and Tiffany Streets. As part of the land use component of this study, the current industrial area will be reviewed to determine the best and most appropriate future land use for the area.

To ensure that the land use study is completed without the introduction of any new land uses permitted in the "K" Zoning District, staff is recommending that Council, in accordance with Section 38 of The Planning Act, pass an interim control by-law.

The passage of the interim control by-law for a period of 1 year will allow the West Harbour Planning Area study to be completed, without having to react to strategically important land use changes in the interim. This will allow for a thorough land use review and appropriate recommendations to be made on the Barton /Tiffany Industrial area.

ANALYSIS OF ALTERNATIVES:

1. The Planning Act

Section 38(1) of The Planning Act states that where the council of a local municipality has directed that a review or study be undertaken in respect of land use planning policies in the municipality or in any defined area, the council of the municipality may pass an interim control by-law for a period of time not exceeding one year, prohibiting the use of land, buildings or structures within the municipality for such uses set out in the zoning by-law. Section 38(2) allows council to extend the period of time of the interim control by-law so that the total time does not exceed two years from the date of the passing of the by-law.

It is noted that Section 38(3) of The Planning Act states that no notice or hearing (public meeting) is required for an interim control by-law. However, the clerk is required to give notice of the decision within 30 days of passage of the by-law to the prescribed persons and public bodies. It is noted that there is a 60-day appeal period associated with the passage of an interim control by-law.

Finally, it is noted that Section 45 (1) of The Planning Act states that the Committee of Adjustment may authorize the approval of an application made on lands that are affected by a by-law passed under Section 38 (Interim Control) so long as the application, in the

Committee's opinion, is desirable for the appropriate development or use of the land, building or structure and if it maintains the general intent and purpose of the Official Plan and Zoning By-law.

2. The City of Hamilton Official Plan

The subject lands are designated Industrial on Schedule "A", Land Use Concept of the Hamilton Official Plan. The primary uses permitted under this designation are that of industry. Industry is defined as manufacturing, processing, warehousing, repair and servicing.

Policy D.3.7 of the Official Plan states that, in accordance with The Planning Act, Interim Control By-laws may be used to limit the use of lands or buildings where Council has directed a study of land use planning policies in a defined area of the City. The provision of The Planning Act regarding timing, notice and appeals of these by-laws will apply.

This proposal conforms to the Official Plan.

3. The City of Hamilton Zoning By-law

The subject lands are zoned "K" District (Heavy Industrial) in the City of Hamilton's Zoning By-law. This zone permits public uses such as a public garbage dump or public incinerator; commercial uses such as a lumberyard, salvage yard or adult entertainment parlour. Examples of industrial uses that would be permitted would include a slaughterhouse, manufacturing of animal products, chemical manufacturing (fertilizers, varnish) and re-cycling plants.

The nature of the City of Hamilton's Zoning By-law is pyramidal in that what is permitted in one zone, may be permitted in many other zones. For example the "K" District permits all industrial uses permitted in the "J" District. The "K" District also permits commercial uses that are also permitted in the "J" District. This pyramidal style of the by-law opens this area up to a vast range of permitted land uses. This could potentially have detrimental impact on the Secondary Planning Study, prior to final recommendations being made in this area. The passage of an interim control by-law would prevent a range of new possible land uses from being established during the time that staff is preparing new land use options and final recommendations for the entire study area.

4. Planning Rationale

Planning consultants have been hired by the city to undertake a detailed land use study; (Secondary Plan) to determine future land uses for the West Harbour Planning Study Area. The consulting team is to review this area and make recommendations on the future land uses and potential for redevelopment. The Planning consultants retained by the City for this study strongly recommend that an interim control by-law be passed for this area in order for the land use study to be completed without the introduction of any new uses permitted in the "K" District.

This industrial area is considered to be a sensitive factor in terms of this study since it is a heavy industrial area located within a primarily residential/recreational neighbourhood. The proposed interim control by-law will allow for the study to continue without the threat of a potentially non-compatible land use being established prior to any new land use practices being made as part of the West Harbour Secondary Plan process.

The City's Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan (CIP) program, in recognition of the Central Neighbourhood Plan, West Harbourfront Development Study (1995) and the agreement between the City and The Hamilton Port Authority, is structured to promote redevelopment west of Wellington Street, primarily for residential and recreational uses. Therefore, proposals for industrial use west of Wellington Street are not eligible for the ERASE programs in the CIP, except for Environmental Study Grants.

Because of such initiatives as the ERASE Program, the Barton/Tiffany Industrial Area could very well see dramatic land use changes away from today's industrial character with the approval of the new Secondary Plan. Therefore, it is critical that this study proceeds uninterrupted in order for appropriate land use decisions to be made by the study team.

The Planning Act permits the Committee of Adjustment to authorize minor variances that are considered to be desirable, maintain the general intent of the Official Plan and Zoning By-law for lands that are affected by an interim control by-law. Therefore, additions onto existing uses could potentially be permitted. In light of this study, staff would suggest that comments made on any application to the Committee of Adjustment be reviewed and that careful consideration be made in determining compliance with the "tests" established in approving Committee of Adjustment applications under Section 45 of The Planning Act.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – There are no financial implications at this time however, this by-law could be appealed to the Ontario Municipal Board.

Staffing – Not applicable.

Legal – Section 38(3) of The Planning Act does not require notice or a hearing (public meeting) for the passage of an interim control by-law. However, the clerk is required to give notice of the passage of the by-law and there is a 60 day appeal period.

POLICIES AFFECTING PROPOSAL:

Not applicable.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Staff has consulted with the City's Legal Division in preparing this report and the draft by-law. A representative from the Legal Division will be available to provide in camera advice in the event that members of Council have any questions or concerns with respect to this report and the recommendations contained therein.

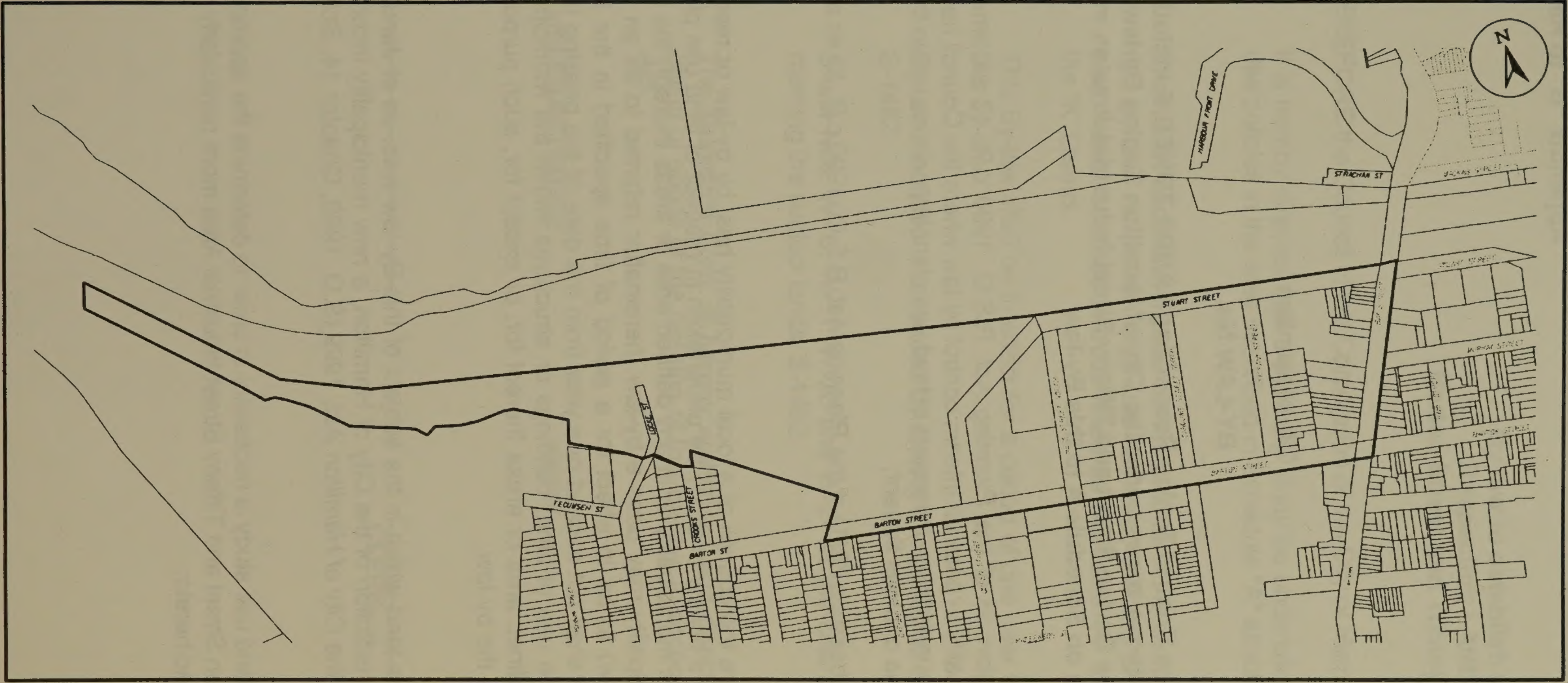
Staff has consulted with the Economic Development Department, the Development Planning Section of Planning and Development and the Downtown/West Harbour Co-ordinating Committee, all of which support the proposed Interim Control By-law.

CITY STRATEGIC COMMITMENT:

This proposal maintains the intent of Vision 2020 in that it is consistent with the goals for community well being and capacity building.

: pam
Attachs. (2)

APPENDIX “A” to Report PD03058
Page 1 of 1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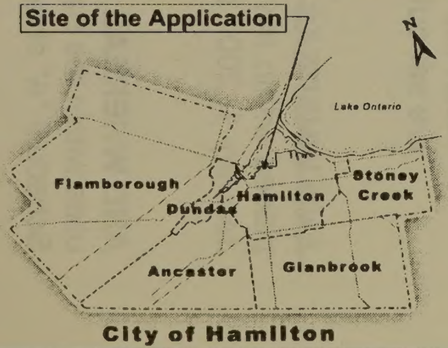

Site of the Application
N
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

CITY OF HAMILTON
PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

▭ **Subject Property**

Date
January 31,2003
Technician:
NM

Map Not to Scale

Authority:

Bill No.

City of Hamilton

BY-LAW No.

To Establish Interim Control Zoning Respecting LANDS ZONED K including all exceptions within those zones under the City of Hamilton Zoning By-law 6593 as amended within the Barton Street and Tiffany Street Industrial Area as more particularly shown on Schedule A to this By-law

WHEREAS subsection 38 of the *Planning Act*, R.S.O. 1990 c.P. 13 as amended permits Council of a municipality to pass an interim control by-law where the Council has directed that a review or study be undertaken in respect of land use planning policies within the municipality or in any defined area or areas thereof;

AND WHEREAS subsection 38(1) of the *Planning Act*, R.S.O. 1990 c.P. 13 as amended provides as follows:

> 38. (1) Where the council of a local municipality has, by by-law or resolution, directed that a review or study be undertaken in respect of land use planning policies in the municipality or in any defined area or areas thereof, the council of the municipality may pass a by-law (hereinafter referred to as an interim control by-law) to be in effect for a period of time specified in the by-law, which period shall not exceed one year from the date of the passing thereof, prohibiting the use of land, buildings or structures within the municipality or within the defined area or areas thereof for, or except for, such purposes as are set out in the by-law.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the *City of Hamilton Act, 1999* (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS a land use study is necessary in order to determine the appropriate land uses within the Barton Street and Tiffany Street Industrial Area more particularly shown on Schedule "A" attached hereto;

By-law to establish Interim Control Zoning Respecting LANDS ZONED K within the Barton Street and Tiffany Street Industrial Area

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. It is hereby directed that a planning study be undertaken in respect of the land use policies in the area described in Schedule "A" attached hereto.

2. Except for such lawful uses as the land is being used on the date of passing this by-law, no person shall use any land, building or structure shown on the plan hereto attached and identified as Schedule "A" for any uses permitted in the "K" District.

3. This By-law shall be in effect for a period of one year from the date of passing this by-law.

4. By-law No. 6593 is amended by adding this by-law to Section 19B as Schedule S-1482.

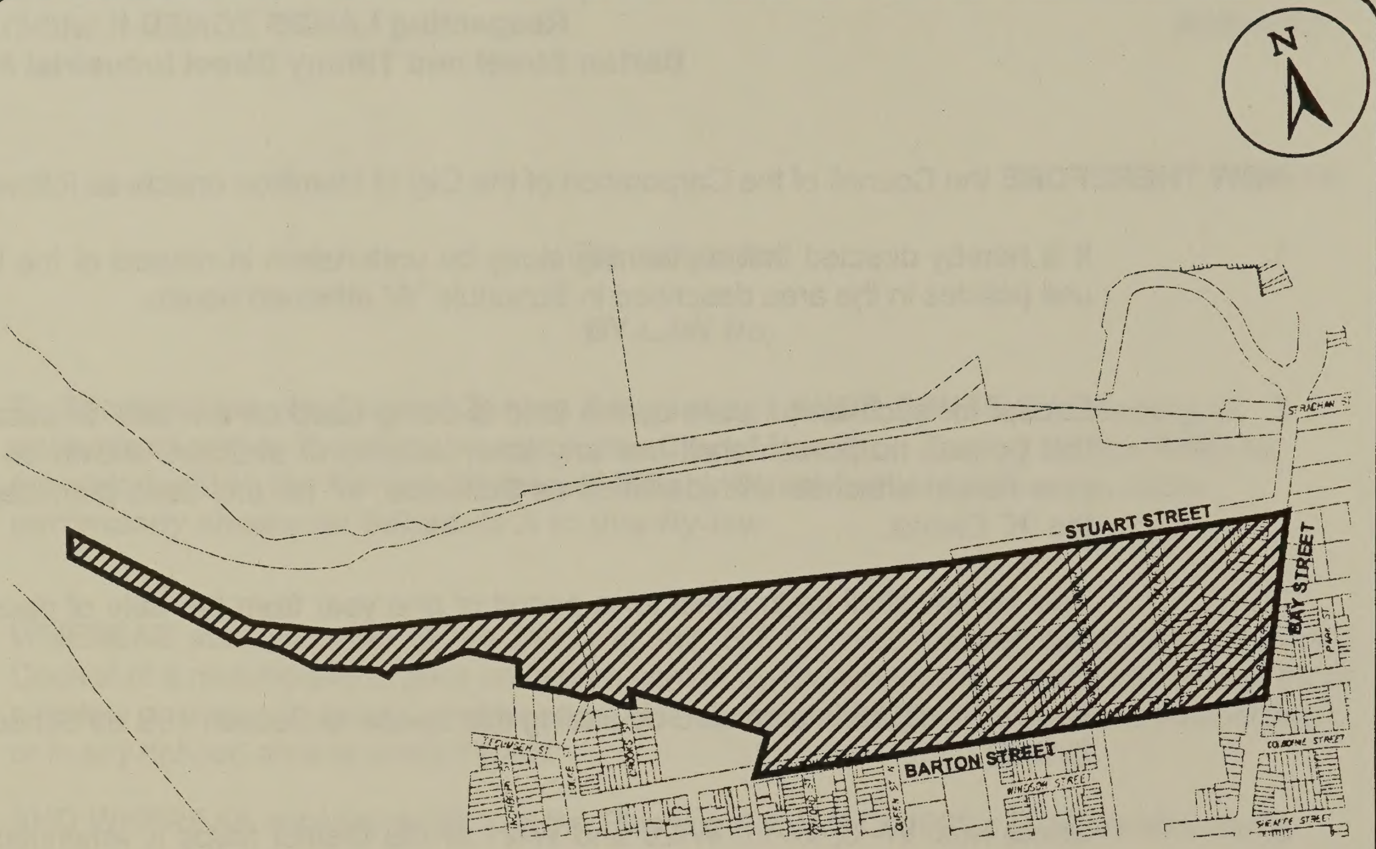
5. Sheet Nos. W- 3, W-11. W-20 and W-21 of the District Maps is amended by marking the subject lands, S-1482.

6. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED and ENACTED this day of A.D. 2003.

MAYOR

CLERK


N
STUART STREET
BAY STREET
BARTON STREET
STRACHAN ST
COLBORNE STREET
WINDSOR STREET
TECUMSEH ST
PARK ST

This is Schedule "A" to By-Law No. 03—

Clerk

Passed the .... day of ....,2003

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-____
to Amend By-Law No. 6593

Hamilton

Planning and Development Department

Legend

▨ **Subject Property**

North	Scale NOT TO SCALE	Reference File No. *BAY AND BARTON ST.*
	Date *January 31, 2003*	Drawn By *LC*

AFFECTS
WARD 2

CITY OF HAMILTON

10.2

PLANNING AND DEVELOPMENT DEPARTMENT
Downtown Renewal Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date: **File:**	February 28, 2003 1404-38	**Prepared by:**	Ron Marini (905) 546-4178 Hazel Milsome (905) 546-2755

SUBJECT: **Task Force on Cleanliness and Security in the Downtown Core (PD03035) (Ward 2) - Referred from City Council January 8, 2003/ Addresses Committee of the Whole Outstanding Business List, Item (R) as at March 4, 2003**

RECOMMENDATION:

(a) That a Task Force be established to address downtown cleanliness and security issues;

(b) That membership for the Task Force on Cleanliness and Security in the Downtown Core comprise:

Councillor for Ward Two
One additional Councillor
One representative from the Downtown Hamilton B.I.A.
One representative from the International Village B.I.A.
One representative from the King Street West B.I.A.
Two representatives from the community at large

(c) That Council authorize the appropriate staff from the relevant divisions within the Public Works Department, Planning and Development Department, Police Services, Emergency Services Department and Tourism to provide support to the Task Force with support from Finance, Legal and Social Services provided as required;

(d) That the Terms of Reference to guide the Task Force, attached to Report PD03035 as Appendix 'A', be approved;

(e) That the Task Force be directed to report back to Council by May 2003 on its status, actions to date and future direction;

(f) That the Tourism Board be advised of this initiative in response to their letter concerning this issue;

(g) That Item (R) from Committee of the Whole Outstanding Business List of March 4, 2003, be removed and referred to the Task Force for Cleanliness and Safety as part of its deliberations.

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

Report PD03035 discusses the establishment of a Task Force on Downtown cleanliness and safety, the Task Force's composition and terms of reference. It also establishes reporting timelines.

BACKGROUND:

At its meeting of January 7, 2003, Committee of the Whole received a letter from the Tourism Board concerning cleanliness and security in the Downtown Core. Subsequently, City Council, at its meeting of January 8, 2003, on the recommendation of Committee of the Whole, directed that Planning and Development Department staff report back on the establishment of a Task Force to address cleanliness and security in the Downtown Core, such report to include the Terms of Reference for this Task Force.

It should also be noted that the City of Hamilton's 2002 Budget included $50,000 for the development of a strategy for increasing public safety in the Downtown Core. Mindful of the direction from the Corporate Management Team, Downtown Renewal staff convened a meeting in December with a multi-disciplinary team of staff and representatives from the three (3) business improvements areas located within the Downtown Core. Issues emerged at the meeting that the group believed lead to a sense of the Downtown being dirty and unsafe. The group also recognized that, in order to address the issues, City leadership was required and the development of partnerships with the business improvement areas and other agencies was crucial.

Based on Council's direction of January 8, 2003, the Terms of Reference, attached as Appendix "A" to Report PD03035, were prepared to guide the Task Force on Cleanliness and Security within the Downtown. The Task Force will focus its efforts on the following actions:

(a) Determine the geographic boundary.

(b) Identify the issues that lead to the perception that Downtown is unclean and unsafe.

(c) Identify the existing level of asset allocation.

(c) Identify the desired level of asset allocation with concrete examples.

(d) Identify alternative solutions to meet the desired level of service including partnerships with B.I.A.s and other program providers, increase of volunteers and, the development of special programs.

(e) Develop a short-term action plan with immediate/short term implementation.

(f) Develop a long-term strategy and implications for the 2004 Budget.

(f) Examine the recommendations suggested by City staff and community members during the sessions held as part of the Mayor's Proudly Hamilton initiative and, where appropriate, integrate the initiatives into the short and long-term action plans of the Task Force.

Proudly Hamilton was initiated by Mayor Wade in response to concerns in the community related to litter, graffiti, cleanliness and non-compliance with property standards and building codes. A staff roundtable was held on June 12, 2002 composed of staff from all City Departments and Hamilton Police Services. The purpose of the roundtable was to determine if there were ways in which the City could do things more efficiently and effectively with the ultimate result of having a City of which we can all be proud. The Mayor hosted a Community Summit on June 20, 2002 where individuals, groups and organizations within our community were invited to put forward their suggestions on how both the City and community can work together to deal with the issues of litter, graffiti, cleanliness and property standards in order to successfully become "Proudly Hamilton". A significant number of recommendations and actions resulted from both the staff roundtable and summit. The Task Force will examine how these recommendations can be implemented in the Downtown in the short and long term as a first step towards expanding this across other neighbourhoods in the community.

Finally, this Task Force should also seek information from City administration concerning costs to deliver services. As such, Item (R) of Committee of the Whole Outstanding Business list of March 4, 2003 should be removed and referred to the Task Force for Cleanliness and Safety as part of its deliberations.

ANALYSIS OF ALTERNATIVES:

The final report of the Task Force on Cleanliness and Security in the Downtown will provide an analysis of alternative solutions.

- Identify the desired level of service
- Identify alternative solutions to meet desired level of service
- identify costs to implement the alternative solutions
- develop a short-term plan of action by May 2003
- develop a long-term plan of action by September 2003
- Identify budget implications for 2004
- Examine the recommendations identified as part of the Mayor's Proudly Hamilton initiative and incorporate these, where applicable, into the short-term and long-terms plans of action

CITY WIDE IMPLICATIONS

11.1

CITY OF HAMILTON

PUBLIC HEALTH AND COMMUNITY SERVICES DEPARTMENT
Strategic Services Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Joe-Anne Priel, General Manager
Date:	February 21, 2003	**Prepared by:**	Lyle Huntley 546-4300 Sandra Kelly 546-4500 Lee Anne Wiebe 546-4329

SUBJECT: **Emergency Shelters & Residential Care Facilities Business Process Review and Special Income Business Process Review (HCS03001) (City Wide)**

RECOMMENDATION:

That Report No. HCS03001 respecting Emergency Shelters & Residential Care Facilities Business Process Review and Special Income Business Process Review be received for information.

Joe-Anne Priel, General Manager
Public Health and Community Services

EXECUTIVE SUMMARY:

The Department has embarked on a Business Process Review of its Emergency Shelters and Residential Care Facilities Program. The Business Process Review (BPR) is in response to the draft findings of an internal audit that was requested by the General Manager in the fall of 2001 and as an outcome of the department reorganization that saw a need to improve business processes.

The Business Process Review will focus on finding business process efficiencies within the delivery of contracted services for the Emergency Shelters and Residential Care Facilities Program. Specifically, the BPR will:

- review the Internal Auditor's Report
- review the Provincial Auditor's Report
- verify and document current program and financial practices (i.e., what services we are paying for)

- identify applicable policies, procedures and legislation and compliance measures (i.e., what services should we be paying for and how should they be monitored)
- conduct a best practices review (i.e. conduct a review of other CMSMs to determine how programs and financial practices are being managed and conduct a review of what are the best practices in the field of contract management)
- define a standard unit of measure for funding and invoicing purposes
- review all applicable service agreements, contracts and verbal agreements with service providers
- review the Program funding allocation process and determine the extent of the services funded (i.e., Homelessness Funding for but not limited to Off the Streets and Into the Shelter, Community Partnerships Program, Provincial Homelessness Initiatives Fund, Emergency Redirection, etc.)
- review linkages to other relevant applications and management statistics/reporting requirements.

It is anticipated that the BPR will take three months to be completed and will produce a blueprint for efficient, effective and responsible business processes within the Program.

Concurrently with the Emergency Shelters and Residential Care Facilities Program BPR, the department has undertaken a business process review of the Special Income Program. This BPR will concentrate on finding efficiencies within the program to streamline the client service path and to ensure corporate and provincial compliance.

BACKGROUND:

In the fall of 2001, the Department received, from the Ministry of Community, Family and Children's Services, information contained in the 2001 Annual Report of the Provincial Auditor that briefly touched on the operation of the Emergency Shelters and Residential Care Facilities Program. At that time, the General Manager felt it would be prudent to have an internal audit carried out on the Emergency Shelters and Residential Care Facilities Program. As part of the Internal Audit work plan for 2002 approved by Council, an audit of the Program was scheduled and subsequently carried out during the second half of 2002. In late December 2002, Corporate Audit released its preliminary findings with the draft audit report being released in mid February 2003.

In reviewing the draft audit report, the Department has identified four major categories of areas for improvement related to the delivery of contracted services within the Emergency Shelters and Residential Care Facilities Program. The four categories are policies and procedures documentation, appropriate financial controls, enhanced performance monitoring and improved internal/external communication.

In anticipation of the findings of the Internal Audit Report, the Department assembled a staff project team to conduct a Business Process Review on the Emergency Shelters and Residential Care Facilities Program. The team is comprised of representation from various Department Divisions and Corporate Departments (i.e. Emergency Shelters and Residential Care Facilities Program, Strategic Services Division, Program Policy and

Planning Division, Corporate Finance and Administration, Purchasing, Legal Services & Corporate Counsel and Information Technology Services).

A business process review of the Special Income Program has also commenced. This business process review was initiated to streamline the client service path to find procedural efficiencies within the program. It is anticipated that this project will have four main phases, specifically: review of products/services currently being issued; review of the screening/eligibility policies and procedures; review the procurements of products and/or services; and review the monitoring/compliance of the program to municipal and provincial standards. It is anticipated that the Special Income BPR will be completed in the third quarter of 2003 with a final report that will include recommendations for an efficient delivery of service.

ANALYSIS OF ALTERNATIVES:

Should be completed re: the Business Process Review itself.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Should be completed re: the Business Process Review itself.

POLICIES AFFECTING PROPOSAL:

The Department will be conducting as part of this Business Process Review a review of its compliance to corporate policies in the areas of Finance, Purchasing and Legal, and to provincial standards.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

The Department has consulted internally with Corporate Finance and Administration, Purchasing, Legal Services & Corporate Counsel and Information Technology Services. The Department will be consulting with the contracted service delivery agencies of the Emergency Shelters and Residential Care Facilities Program.

CITY STRATEGIC COMMITMENT:

The Business Process Review supports the Mission, Vision, Values and Goals of the City of Hamilton in several ways. For example, Goal 2 is addressed in that the efficient operation of the Emergency Shelters and Residential Care Facilities Program and subsequent efficient delivery of its contracted services will support citizens in need, with care and provide them quality community services.

AFFECTS WARD 9

CITY OF HAMILTON

12.1

PUBLIC WORKS
Capital Planning & Implementation

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Scott Stewart Acting General Manager
Date:	February 26, 2003	**Prepared by:**	W. Baxter Extension 2806

SUBJECT: **Award of Contract TOE-02-46 (HW)-Watermain replacement on Highland Road West from Second Road West to Carlson Street and Asphalt Resurfacing on Highland Road West from Glenhollow Drive to Carlson Street and Second Road West from Highland Road West to north limits (Ward 9) - (PW03003)**

RECOMMENDATION:

(a) That the appropriation for Capital Budget project no. 5140273259 (Highland Road West - watermain) be increased by $204,000 from $263,000 to $467,000 and that this increase in funding be financed from 110090 (Water Residential Development Charge Reserve);

(b) That the contract listed below be awarded on a unit price basis in accordance with the specifications issued by the Acting General Manager, Public Works Department and that the works associated with this award be charged to the Capital Budget projects outlined on the attached Schedule A - Tender Information Summary.

TOE-02-46 (HW)-Watermain replacement on Highland Road West from Second Road West to Carlson Street and Asphalt Resurfacing on Highland Road West from Glenhollow Drive to Carlson Street and Second Road West from Highland Road West to north limits (Ward 9)
Rankin Construction Inc.
$592,562.20 (includes $50,000 Contingency and $16,822.20 G.S.T.)
Lowest bid of seven (7) acceptable bids (tender information summary attached)

Scott Stewart, Acting General Manager
Public Works

EXECUTIVE SUMMARY:

Contract TOE-02-46 (HW) provides for the construction of a 400 mm diameter watermain on Highland Road West from Second Road West to Carlson as well as the placement of surface course asphalt on Highland Road West from Glenhollow Drive to Carlson Street and Second Road West from Highland Road to the north limits.

An appropriation increase which exceeds 10% of the project budget is required for the watermain construction and therefore, the award of Contract TOE-02-46 (HW) is being recommended for award by staff to Committee of the Whole in accordance with purchasing policies. The increase required for the work on Highland Road which is 100% recoverable from residential development charges is to be financed from 110090 (Water Residential Development Charge Reserve).

BACKGROUND:

Contract TOE-02-46 (HW) which includes watermain infrastructure improvements on Highland Road West was tendered to upgrade deficient infrastructure which will serve to improve the supply of potable water to area residents.

The 400 mm diameter watermain construction work on Highland Road West has exceeded the project budget by an estimated $204,000. Staff has reviewed the tendered prices and has determined that the additional increase in the project budget is associated with the costs relating to watermain construction and valves (approximately $102,900), connections (approximately $26,825) and lowering of existing service laterals (approximately $52,275) and rock excavation (approximately $22,000).

ANALYSIS OF ALTERNATIVES:

There are several alternatives available, which include:

1) not proceeding with the watermain construction on Highland Road West from Second Road West to Carlson and completing the placement of surface course asphalt on Highland Road West from Glenhollow Drive to Second Road West and Second Road West from Highland Road to north limits, which are included in Contract TOE-02-46(HW) and are within budget or,
2) deferring the work in this contract to 2004 when sufficient appropriation could be provided in the Water Capital Budget for Highland Road or,
3) awarding Contract TOE-02-46(HW) funding the increase required for the watermain construction on Highland Road West from 110090 (Water Residential Development Charge Reserve).

As the award of this contract is recommended to provide needed watermain infrastructure improvements on Highland Road that will improve the supply of potable water to area residents, and the appropriation increase required can be accommodated without impacting on the delivery of other watermain projects in the Capital Budget, it is recommended that Contract TOE-02-46 (HW) be awarded at this time.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The construction of a 400 mm diameter watermain on Highland Road West from Second Road West to Carlson is 100% recoverable from residential development charges. The appropriation increase for Capital Budget project no. 5140273259 (Highland Road West - Second Road West to Carlson Street) can be financed from 110090 (Water Residential Development Charge Reserve).

POLICIES AFFECTING PROPOSAL:

The award of this contract will not affect corporate policies.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

The following were consulted in the preparation of this report:

- Budget and Fiscal Policy Services - Corporate Services
- Development Division - Engineering Section - Planning and Development

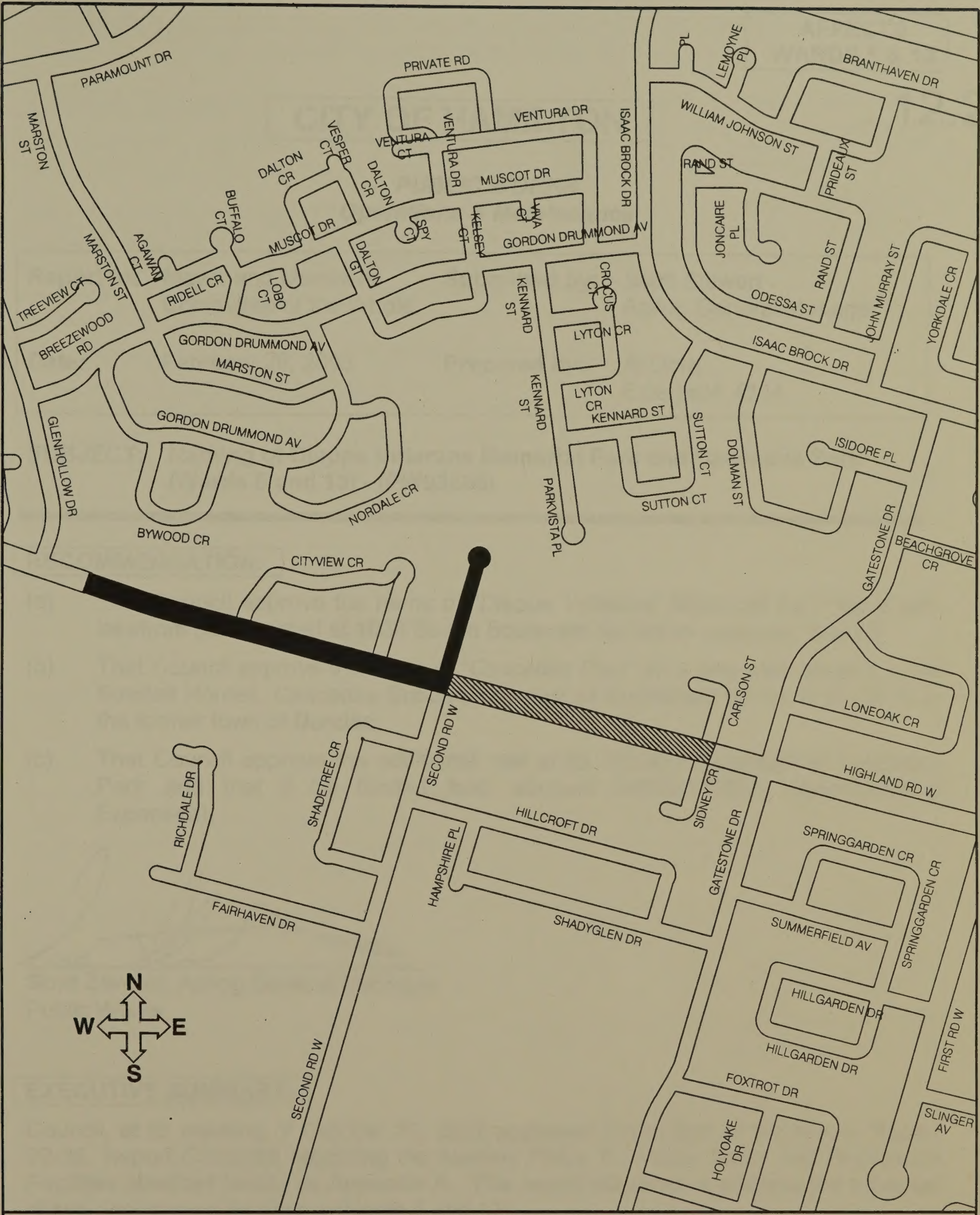
CITY STRATEGIC COMMITMENT:

The construction of a 400 mm diameter watermain on Highland Road West is in keeping with Council's strategic goal of a healthy, safe and green city. By investing in safe water for today and tomorrow, we can ensure reliable and safe sources of drinking water for area residents.

SCHEDULE A - TENDER INFORMATION SUMMARY

CONTRACT NO.	LIST OF BIDDERS	BIDS (NOT INCLUDING G.S.T. & CONTINGENCY)	LOCATION AND TYPE OF WORK	TOTAL ESTIMATED COST (INCLUDING ENGINEERING, ETC.)	2002 APPROPRIATION IN BUDGET	APPROPRIATION ADJUSTMENT REQUIRED	COMMENTS
TOE-02-46 (HW) Watermain replacement on Highland Road West from Second Road West to Carlson Street and Asphalt Resurfacing on Highland Road West from Glenhollow Drive to Carlson St and Second Road West from Highland to North Limits	1. Rankin Construction (Hamilton)	$510,740.00	Highland Road West from Second Road West to Carlson Street - **Section 1** Watermain replacement and associated works **Account # 5140273259**	$466,700.00	$263,000.00	$204,000.00	See note below.
	2. Anders Contracting (Hagersville)	$521,120.00	Highland Road West from Glenhollow Drive to Carlson Street & Seond Road West from Highland Rd. W. to North Limits **Section 2** - Asphalt resurfacing & associated works **Account # 4030011015**	$126,000.00	$170,000.00	$0	
	3. Wm Groves Ltd. (Hamilton)	$528,833.00					
	4. Dufferin Construction (Oakville)	$548,845.00					
	5. Elgin Construction (St. Thomas)	$629,386.55					
	6. King Paving & Materials (Burlington)	$631,247.50					
	7. HTC Contractors (Millgrove)	$678,374.00					

That the increased appropriation be funded from 110090 (Water Residential Development Charge Reserve).


PARAMOUNT DR
MARSTON ST
PRIVATE RD
VENTURA DR
VENTURA CT
VENTURA DR
VESPER CT
DALTON CR
DALTON CR
MUSCOT DR
BUFFALO CT
MUSCOT DR
SPY CT
KELSEY CT
NIVA CT
ISAAC BROCK DR
GORDON DRUMMOND AV
PL
LEMOYNE PL
BRANTHAVEN DR
WILLIAM JOHNSON ST
RAND ST
PRIDEAUX ST
JONCAIRE PL
RAND ST
ODESSA ST
JOHN MURRAY ST
YORKDALE CR
MARSTON ST
AGAWAM CT
TREEVIEW CT
RIDELL CR
LOBO CT
DALTON CT
KENNARD ST
CROCUS CT
LYTON CR
BREEZEWOOD RD
GORDON DRUMMOND AV
MARSTON ST
ISAAC BROCK DR
KENNARD ST
LYTON CR
KENNARD ST
SUTTON CT
DOLMAN ST
ISIDORE PL
GLENHOLLOW DR
GORDON DRUMMOND AV
NORDALE CR
PARKVISTA PL
SUTTON CT
GATESTONE DR
BEACHGROVE CR
BYWOOD CR
CITYVIEW CR
CARLSON ST
LONEOAK CR
SECOND RD W
SHADETREE CR
RICHDALE DR
SIDNEY CR
HIGHLAND RD W
HILLCROFT DR
GATESTONE DR
SPRINGGARDEN CR
HAMPSHIRE PL
SPRINGGARDEN CR
FAIRHAVEN DR
SHADYGLEN DR
SUMMERFIELD AV
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W
E
S
HILLGARDEN DR
HILLGARDEN DR
FIRST RD W
SECOND RD W
FOXTROT DR
SLINGER AV
HOLYOAKE DR

■ Proposed Top Course Asphalt

▨ Proposed 400mm Watermain & Top Course Asphalt

City of Hamilton (Community of Stoney Creek)
Highland Rd. W. (Glenhollow Dr. to Carlson St.)
Second Rd. W. (Highland Rd. W. to End)
Ward 9
Top Course Asphalt &
400mm Watermain

CITY OF
HAMILTON
Public Works Department
Acting General Manager, Scott Stewart

DATE: January 20, 2003

CONTRACT No.: TOE-02-46(HW)

AFFECTS
WARDS 5 & 13

12.2

CITY OF HAMILTON

PUBLIC WORKS
Operations & Maintenance

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Scott Stewart Acting General Manager
Date:	February 28, 2003	**Prepared by:**	Al Dore Extension 4334

SUBJECT: **Naming of Dieppe Veterans Memorial Park and Cascades Park (Wards 5 and 13) - (PW03006)**

RECOMMENDATION:

(a) That Council approve the name of "*Dieppe Veterans' Memorial Park*" for a new lakefront park located at 1033 Beach Boulevard (at Manor Avenue), Ward 5.

(b) That Council approve the name of "*Cascades Park*" for a new park located in the Sundail Homes, Cascades Subdivision, west of Sydenham Street in Ward 13 in the former town of Dundas.

(c) That Council approve the additional cost of $2,000.00 for signage at Cascades Park and that it be funded from account 54350-258005 (Miscellaneous Expenses).

Scott

Scott Stewart, Acting General Manager
Public Works

EXECUTIVE SUMMARY:

Council, at its meeting of October 25, 2002 approved Committee of the Whole Report 02-35, Report CS02088 regarding the *Naming Policy for Public Parks and Recreation Facilities* attached hereto as Appendix A. This report will serve to address the proposal of two park names for sites in Wards 5 and 13.

BACKGROUND:

There are two new parks, one located at 1033 Beach Boulevard at Marion Street, Ward 5, attached hereto as Appendix B and the other in the Sundail Homes, Cascades

Subdivision, west of Sydenham Street in Ward 13 in the former Town of Dundas, attached hereto as appendix C which have not been officially named.

I. "Dieppe Veterans' Memorial Park"

The former Design and Construction Division of Community Services has been working with the City of Hamilton Veterans' Committee in the interest of developing a design concept for the proposed "Dieppe Veterans' Memorial Park". The construction of the park is scheduled to take place in the spring and summer of 2003 with an anticipated completion date of August 2003.

The City of Hamilton Veterans' Committee has proposed the name of "Dieppe Veterans Memorial Park" for this new park site and staff recommends the proposal pursuant to the criteria contained within the City's *Naming Policy for Public Parks and Recreation Facilities*. The policy criteria includes second preference (Section 1(b)) for a name that "recognizes a historical event which has City-wide impact or significance". The Dieppe Raid played a major role in the success of D-Day and Canada's overall Second World War efforts. In total, 913 Canadians died and 1,946 others were captured and taken prisoner for the remainder of the Second World War as a result of this event. Of these, over 800 soldiers were from Hamilton and surrounding communities. The City lost 203 soldiers and 175 were taken prisoner during the raid. The raid on Dieppe and the participation of local residents is noted internationally. The beach location is an ideal symbolic allusion to the site of the Raid on Dieppe.

Staff therefore proposes that the adoption of "*Dieppe Veterans' Memorial Park*" as the official name for the park is appropriate.

II. Cascades Park

The "Cascades development" is located in the former township of Dundas just west of Sydenham Street and is steps to the Spencer Gorge Wilderness Area, Webster's Falls, and Tews Falls. The approved 125 residential development includes an unnamed 0.70 acre park site to accommodate local neighbourhood park facilities.

The policy includes that first consideration be given to those proposed names, which describe the location and/or characteristics within the community (Section 1(a)). The proposed name refers to a noteworthy physical/ environmental or scenic quality, namely, Webster's Falls, Tews Falls, and the Spencer Gorge Wilderness Area.

Staff therefore proposes that the adoption of "*Cascades Park*" as the official name for the park is appropriate.

ANALYSIS OF ALTERNATIVES:

Alternative park names may be considered at Council's direction.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

There are no legal or staffing implications associated with this report.

Park signage is required for the **Cascades** site at an estimated cost of $2000, which includes labour and materials.

Park signage for the **Dieppe Veterans' Memorial** Park will be funded through the Dieppe Park Development Budget.

POLICIES AFFECTING PROPOSAL:

The proposed park names are consistent with the guidelines contained in the Naming Policy for Public Parks and Recreation Facilities.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

The City of Hamilton Veterans' Committee, Sundail Homes, staff of Design and Construction, and Parks, as well as the Ward Councillors (Collins & Powers) have been consulted in the drafting of this report.

CITY STRATEGIC COMMITMENT:

The main objective of the policy for the naming of public parks and recreational facilities is to promote community identity, cultural and natural heritage, contributions of citizens, and to encourage public participation and involvement in community affairs. Both names are reflective of these elements.

CITY WIDE IMPLICATIONS

CITY OF HAMILTON

Appendix 'A'
Report PW03006

COMMUNITY SERVICES
Parks Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by**:	Wiilliam E. Fenwick, Acting General Manager
Date:	September 30, 2002	**Prepared by:**	Alan Dore, ext. 4334 Peter Christie, ext. 6198

SUBJECT: **Naming Policy for Public Parks, and Recreation Facilities (CS02088) (City Wide)**

RECOMMENDATION:

That Council approve the Naming Policy for Public Parks and Recreation Facilities, attached hereto report CS02088 as Appendix A.

William E. Fenwick, Acting General Manager
Community Services

EXECUTIVE SUMMARY:

The approval of the proposed policy for the naming of public parks, gardens, trails, and buildings will provide a consistent, open, and streamlined approach for application across the new city.

BACKGROUND:

At present, there are various policies and guidelines in place within the various districts of the City of Hamilton, which regulate the naming of parks, gardens, trails, and buildings. The application of each of these policies is limited to the geographic region representing the former area municipality in which each by-law was enacted. While there are similarities from community to community, there are also significant differences with respect to operating procedures which tend to create an unacceptable state of procedural disorder and confusion for staff and residents alike.

The creation of a single policy in force throughout the new City of Hamilton will provide benefits of administrative efficiencies, superior customer service, less confusion for the public, and most importantly, a set of uniform guidelines by which parks, and like facilities are named.

Under the proposed policy, priority shall be given to those names making reference to geographical or environmental features, or for the contributions of citizens and/or individuals who have had a significant impact on the community. Further consideration will be given to those names recognizing a twin-city or a significant event or program involving another municipality, or to a name that recognizes those individuals, organizations, businesses, and corporations who have made a substantive contribution of land, money, or services in kind, or where corporate or private sponsorship support is of a substantive nature and has been donated in accordance with the Corporate Donations Policy, in return for consideration of name recognition for a particular location or facility.

The proposed policy also provides for a formal application process Invlolving written justification for the proposed name and requiring Council's endorsement.

ANALYSIS OF ALTERNATIVES:

Alternatives of either the status quo, or no policy at all, will not realize the benefits of administrative efficiencies, superior customer service, less confusion for the public, and most importantly, a set of uniform guidelines by which parks, and like facilities are named.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

There are no financial, staffing, or legal implications associated with this recommendation.

POLICIES AFFECTING PROPOSAL:

This proposed policy would replace the existing Park Naming Policies of the former municipalities with a "Naming Policy" for Public Parks, and Recreation Facilities.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

The Planning and Development, Parks, Design and Construction, Culture and Recreation Divisions, and the Parks Staff Advisory Committee were consulted in the preparation of this report.

CITY STRATEGIC COMMITMENT:

The main objective of this policy is to promote community identity, and our cultural and natural heritage as reflected in the naming of our public parks and recreational facilities etc. and to encourage public participation and involvement in community affairs.

THE CITY OF HAMILTON

COMMUNITY SERVICES DEPARTMENT
PARKS DIVISION

POLICIES & PROCEDURES

POLICY NO:

SUBJECT: Naming Policy for Public Parks and Recreation Facilities

ELIGIBILITY:

This Policy is intended to provide consistent criteria and process for the selection of Names for Public Parks and Recreation Facilities in City of Hamilton. The criteria reserves first preference for those names making reference to geographical or environmental features, or for the contributions of citizens and/or individuals who have had a significant impact on the community.

Park Naming Guidelines

The guidelines established for naming parks etc. are listed in descending order of preference:

1(a) A name that identifies the location or a unique characteristic of the community. These may include but not be limited to the following:

- i. A neighbourhood reference (i.e. Durand Park, Huntington Recreation Centre, Lakepoint Park, Meadowlands Soccer Pit)
- ii. A street reference (i.e. Tom Street Park, Carson Drive Park, Paramount Park, Little John Park)
- iii. A noteworthy physical, environmental or scenic quality (i.e. Bayview Park, Cliffview Park)
- iv. Proximity to a recognizable facility or area (i.e. Hill Park Recreation Centre - which is located adjacent to Hill Park Secondary School)

1(b) A name that recognizes a historical event which has Citywide impact or significance. Examples include Commonwealth Square, Coronation Park, Battlefield Park.

1(c) A name that recognizes an individual, family, or object having some historical connection to the site (i.e. original landholder, past community name etc.) An example would be Gage Park.

2. The naming of a public place or facility after an individual or recognized Organization that has made a significant contribution to the community, to the City, to the Province or to the Nation. The following conditions apply:

- i. The reputation and contribution of the honouree must be well documented and broadly acknowledged as benefiting the City, the Province, or the Country. Examples include Sam Lawrence Park, T.B. McQuesten Park, Joe Sams Park, John Prentice Park, Leslie B. Couldrey Park, Lawrence P. Sayers Park, James Smith Park.
- ii. To the extent where possible, a direct relationship should exist between the individual and the feature being considered for name recognition. Sport personalities should be linked with their area of athletic endeavour. An example is Jimmy Thompson Memorial Pool.
- iii. In the case of an elected official or civil servant, they must be retired from public service to be eligible. An example would be Copps Coliseum.
- iv. Where a park or facility is to be named after an individual or group, permission and agreement must be obtained from all parties involved prior to consideration and review by the department. In the case of a deceased individual, recognition shall only be considered with the approval of the next of kin, prior to consideration and review by the department.

3(a) A name that recognizes those individuals, organizations, businesses, and corporations who have made a substantive contribution of land, money, or services in kind, or where corporate or private sponsorship support is of a substantive nature and has been donated in accordance with the Corporate Donations Policy, in return for consideration of name recognition for a particular location or facility. It will be the decision of Council as to what constitutes a "substantive contribution/donation".

3(b) A name that recognizes a twin-city or a significant event or program involving another municipality. An example is Shawinigan Park.

Submission Process

Proposed park names are either:

1. Specific to a particular park site (as in the case of the development of a new park or the renaming of an existing park)

2. Generic park names not related to a specific site

All parties wishing to propose names for parks, gardens, trails, or public buildings must submit a completed application form (available in hard copy or online) to the General Manager of the Community Services Department providing sufficient information as to how the proposed name satisfies the criteria of the park naming guidelines. Adequate historical or descriptive information shall be provided to validate the proposed name, that staff may have a clear understanding and appreciation for the request.

Proposed names that are not site specific, but are generic in nature, will be kept on file on an on-going basis to create an inventory of available names. A masterlist of available names will be generated reserving first preference for those names, which justly satisfy the criteria of the park naming guidelines. The masterlist of available names will be made available to all departments in electronic format.

Name Selection Process

Where proposed names are site specific, staff shall undertake to weigh the significance of the proposed name against the guidelines for park naming, as well as against those names contained in the masterlist. The name that best satisfies the criteria outlined in the guidelines for park naming will be selected.

Staff will draft a recommendation report for circulation to the various divisions within Community Services Department, to the Ward Councillor, and to any Committees who may have vested interest or involvement with the site. These groups will be provided with the opportunity to review and comment on the recommendation.

If appropriate, the report will be forwarded by the Community Services Department to City Council for their approval.

The naming of all parks, gardens, trails, and public buildings in the City of Hamilton must receive final approval from City Council.

Renaming of Existing Parks

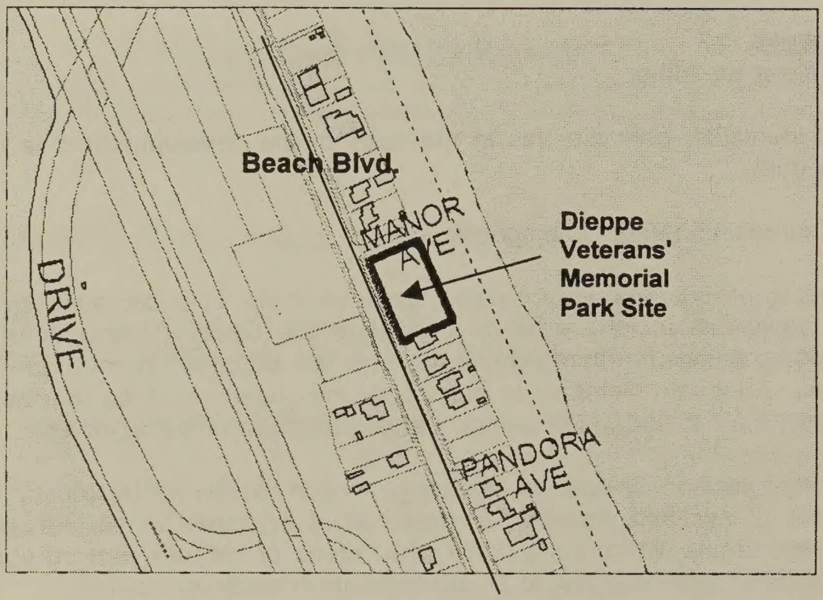
The renaming of existing parks, gardens, trails, and public buildings in the City of Hamilton will be at the sole discretion of Council and must adhere to the provisions contained in the guidelines for park naming.

GENERAL MANAGERS APPROVAL: ______________________________

APPROVED DATE: ______________________________

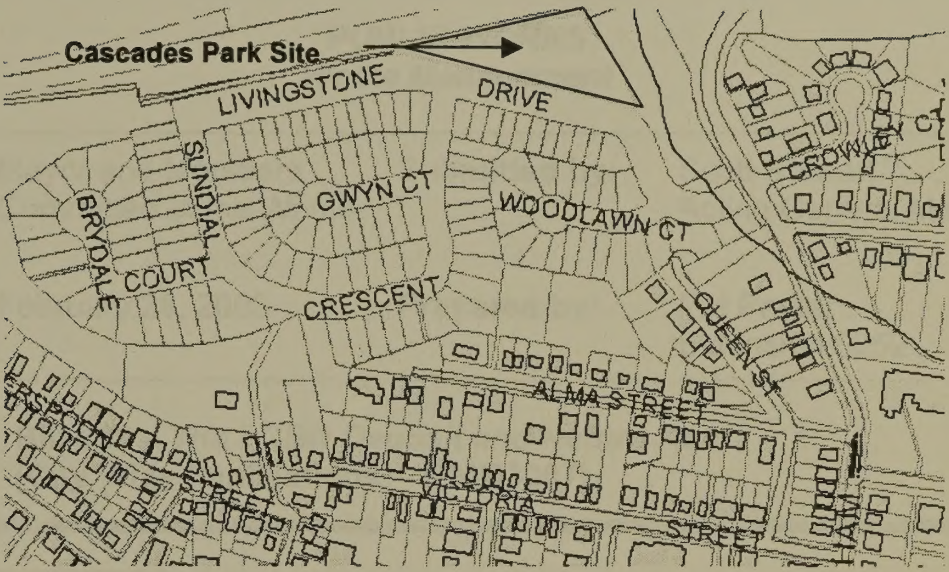
REVISED DATE: ______________________________

Appendix B - 1033 Beach Boulevard
Report PW03006


Beach Blvd.
MANOR AVE
DRIVE
PANDORA AVE

Dieppe Veterans' Memorial Park Site

Appendix C - Cascades Park
Report PW03006


Cascades Park Site
LIVINGSTONE
DRIVE
SUNDIAL
BRYDALE
COURT
GWYN CT
CRESCENT
WOODLAWN CT
CROWLEY CT
QUEEN ST
ALMA STREET
RSPOON
STREET
VICTORIA
STREET
HAM

CITY WIDE IMPLICATIONS

CITY OF HAMILTON

12.3

PUBLIC WORKS
Waste Management

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Scott Stewart Acting General Manager
Date:	February 28, 2003	**Prepared by:**	Pat Parker Extension 5252

SUBJECT: **Bill 125 – *The LCBO Deposit and Return Act* (City Wide Implications) - (PW03007)**

RECOMMENDATION:

(a) That the City of Hamilton receive Bill 125 and the correspondence from Mr. Mike Colle, MPP, Eglinton-Lawrence;

(b) That copies of Report PW03007 be sent to The Premier, The Minister of the Environment, The LCBO, Mr. Colle, The members of Provincial Parliament representing the City of Hamilton, Waste Diversion Ontario and the The Association of Municipalities of Ontario; and

(c) That Waste Diversion Ontario be encouraged to undertake a detailed investigation of glass recycling to determine if the LCBO contribution to the Waste Diversion Ontario adequately covers 50 percent of the blue box costs for liquor glass.

Scott Stewart, Acting General Manager
Public Works

EXECUTIVE SUMMARY:

Bill 125, *The LCBO Deposit and Return Act*, is a Private Member's Bill put forward by Mike Colle, MPP for Eglinton-Lawrence. The Bill was given first reading and if approved would result in a system of deposit and return for liquor glass, similar to the Brewers' Retail system.

Through the former Waste Diversion Organization and now Waste Diversion Ontario (WDO), the LCBO has provided grants to municipalities to assist in the blue box costs associated with the collection, processing and disposal of the glass. However, the market for glass is very poor and the costs to collect and process these containers exceed the revenues. Although there may be merit to establishing a deposit and return system for liquor glass, the avenue for pursuing this program should be through Waste Diversion Ontario.

BACKGROUND:

On June 24, 2002, Mr. Mike Colle, Member of Provincial Parliament for Eglinton-Lawrence, introduced a Private Member's bill, Bill 125, "The LCBO Deposit and Return Act". The Bill was given first reading on the same day.

Two days later on June 26, 2002, Bill 90, the Waste Diversion Act, was granted Royal Assent.

Mr. Colle subsequently wrote to municipalities, including the City of Hamilton, on November 22, 2002 requesting the municipalities to consider the concept of deposit/return by:

> *"1.) Verifying with your Public Works Department what is currently happening to the coloured glass collected in your blue box program;*
>
> *2.) Affirming your Council's support for a deposit and return system for LCBO containers; and*
>
> *3.) Sending a resolution in support of my Private Member's Bill to The Premier, The Minister of the Environment and the LCBO, with a copy to my office."*

Council considered Mr. Colle's request at the December 11, 2002 meeting and referred it to the Solid Waste Management Master Plan Steering Committee (SWMMP).

This report addresses the concept of a deposit and return system for LCBO containers.

ANALYSIS OF ALTERNATIVES

In Canada, Ontario and Manitoba are the only Provinces that do not have deposit and return systems for liquor bottles, although they both have deposit and return systems for beer bottles. The system operated by the Brewers' Retail in Ontario suggests that the concept of deposit and return is successful.

In Provinces with deposit return systems, larger municipalities continue to have successful diversion rates. Cities such as Vancouver with a diversion rate of 51%, Halifax with 62% (2001) and Edmonton with about 70% (2001) , are evidence that deposit and return systems do not negatively impact on waste diversion.

The concept of implementing a Province-wide deposit and return system for wine and liquor containers is not new. Discussions have been on-going for more than 10 years, however, the matter of packaging stewardship has come to the forefront of waste management issues in Ontario with the evolution and final approval of the Waste Diversion Act in 2002.

At the Provincial level, recycled glass tonnage is approximately 110,000 tonnes per year. The market for glass has declined significantly in recent years, and presently ranges from -$15 per tonne for mixed glass to $28 per tonne for clear glass. Some municipalities pay to have glass, particularly coloured and mixed glass, removed.

The City of Hamilton currently collects mixed clear and coloured glass bottles and jars in the Blue Box recycling program. The City does not presently have a market for mixed glass although glass is used for road base and ballast in the machines that deploy film plastic which is used as daily cover at the Glanbrook Landfill.

There are two alternatives that will be considered in this report, including:

- The Status Quo (the Waste Diversion Act), and
- A Deposit and Return System for LCBO Containers

1.) The Status Quo (the Waste Diversion Act)

Although the Blue Box Plan for the Waste Diversion Act has not yet been approved by the Minister of Environment, the Waste Diversion Organization (now Waste Diversion Ontario) (WDO) has implemented the LCBO grants for the past four years, to assist in offsetting municipal Blue Box program costs. The City of Hamilton has received an average of approximately $200,000 per year. Provincially, the LCBO contribution in 2002 was $5 million, of which $1 million was directed to the WDO for administration, the other $4 million was allocated to the municipalities with Blue Box programs. This funding covers all glass containers including food jars. The Product & Packaging Stewardship Review reported in 2002 that this amount represents less than half of the estimated costs of about $11 million[1].

Commencing in 2003, the LCBO funding will become part of the general funding model under WDO. The WDO funding will offset a portion the Blue Box operating costs, however, it appears that the LCBO portion of the funding may not adequately address the collection and processing associated with recycling glass.

2.) A Deposit and Return System for LCBO Containers

The topic of Mr. Colle's Private Member's Bill, Bill 125, is the establishment of a deposit and return system for wine and liquor bottles sold at LCBO stores and stores owned by beer and wine manufacturers. The Bill proposes that the program be operational with the sale of products commencing on July 1, 2003. The cost of purchasing alcoholic beverages would include a deposit on a container at the time of purchase and a refund when it is returned.

Although there may be merit in considering a deposit and return system in the future, the vehicle for such a system would be Waste Diversion Ontario. It would be appropriate for Waste Diversion Ontario to undertake a more in depth review of liquor glass in the blue box program.

3.) Conclusion

In conclusion, a deposit and return system would have the potential of removing a significant portion of glass from the waste stream. Much of the liquor glass is coloured and therefore has little or no value to municipalities. A deposit and return system would be consistent with the recommendations of the Solid Waste Management Master Plan (SWMMP), contributing to the City's diversion target of 65% by 2008.

However, Waste Diversion Ontario is the appropriate body to pursue a deposit and return program. Waste Diversion Ontario should be encouraged to undertake a more detailed review of glass in the blue box and the adequacy of the LCBO contribution to cover 50% of the costs associated with liquor glass recycling.

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[1] Product & Packaging Stewardship Review, ***Wine and Liquor Container Recovery in Ontario: The 2002 Perspective SPECIAL REPORT***, 2002

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Introduction of a deposit return system for LCBO glass has the potential to reduce municipal recycling costs. There are no direct staffing implications associated with the proposed legislation. There may be cost reductions in contracts.

POLICIES AFFECTING PROPOSAL:

The policies affecting waste diversion programs are those in the Solid Waste Management Master Plan (SWMMP). More specifically, the diversion of glass waste supports and assists in the implementation of the following SWMMP recommendations:

No. 2 - Contributing to the optimization of the capacity of the Glanbrook landfill by reducing the amount of glass in the waste streams;

No. 3 - Contributing to the 65% waste diversion target by 2008;

No. 13 - Supporting continuous improvement to the waste management system; and

No. 14 - Lobbying of the Provincial government to assist in waste management programs through mechanisms including legislation.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

In the preparation of this report, staff consulted with the Solid Waste Management Master Plan Steering Committee, Finance staff, the Regional Municipalities of Waterloo, Durham and York, and the Ontario Municipal Benchmarking Initiatives Solid Waste Panel. The Region of Waterloo supported the proposed Bill, while the Regions of York and Durham received the proposed Bill for information.

CITY STRATEGIC COMMITMENT:

Hamilton's Mission, Vision, Values and Goals Statement

A deposit and return system for liquor bottles may enhance the City's waste diversion programs, consistent with Council's Mission, Vision, Values and Goals Statement.

Effective Solid Waste programs support the City's vision for "...a safe, healthy, sustainable community...". The diversion of waste preserves the life of the landfill sustaining capacity for the future.

Waste diversion contributes to the fulfilment of several of the goals including:

- VISION 2020 (to be addressed below);
- a healthy, safe and green City;
- reducing waste going to the landfill;
- performance measurement of waste diversion programs; and

- best practices - best value, balance service provision and programs with long term benefit of landfill life.

Sustainable Development - VISION 2020

The diversion of glass from the municipal waste stream contributes to fulfilling the goal of managing waste safely and responsibly. It is also consistent with several of the specific Strategies for a Sustainable Community for Reducing and Managing Waste, including a comprehensive waste management plan that focuses on the reduction of waste and the diversion of waste for reuse and recycling, and enhancing diversion programs and increasing participation.

Business Planning and Budget

The City Manager's report on Business Planning and Budget was approved by Committee of the Whole on June 18, 2002 and by Council on June 26, 2002.

The proposed Bill would be in alignment with Council's priority to be fiscally accountable, with the intent to provide best value for tax dollars invested. The implementation of the recommendations and the SWMMP will be monitored to evaluate the performance of the waste management system.

SECTION 13

City Wide Implications

13.1

CITY OF HAMILTON

Economic Development Department
and
Human Resources Department
and
Public Health and Community Services Department

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Neil Everson Executive Director Catherine Graham General Manager Joe-Anne Priel General Manager
Date:	February 28, 2003	**Prepared by:**	Sylvia Renshaw (x4114)

SUBJECT: HR Matters II Project (ECO03002)(City Wide)

RECOMMENDATION:

a) That the HR Matters II Project Report No. ECO03002 be received for information.

b) That item L from Outstanding Business Items be removed.

Neil Everson, Executive Director
Economic Development

Joe-Anne Priel, General Manager
Public Health and Community Services

Catherine Graham, General Manager
Human Resources

EXECUTIVE SUMMARY:

In alignment with the Council approved Economic Development Strategy, staff initiated and undertook the HR Matters Study Phase I. The Study examined the long-range implications for the City's economy arising from an aging population and recommended actions to counter any negative consequences. The next key step, or HR Matters II, is the development of a Business Plan based upon the recommendations that originated from the Phase I, additional research and global “best practices”. The intent is to create a Business Plan that has community ownership and can be implemented easily and cost-effectively in Hamilton. The HR Matters II business plan will include Research and Communications components, a Sustainability Model, and a Hamilton Talent Portal Feasibility Study.

BACKGROUND:

Hamilton City Council approved the Economic Development Strategy May 29, 2002 report ECO02006 – Economic Development Strategy – COW Report No. 02-022. The HR Matters Project is aligned with the implementation of the Economic Development Strategy. The HR Matters II Business Plan will address:

1. Raising awareness, Developing Leadership, and Gaining Commitment for the HR Matters II Project
2. Strengthening the Community’s Image
3. Assisting Small and Medium Size Employers with Human Resource Planning
4. Building the Labour Supply
5. Improving the Skills and School To Work Transitions

As well, Council has endorsed the Social Development Strategy document entitled, “A Social Vision for the New City of Hamilton”. One of the flagship areas identified in the strategy was Skills Development because it is intrinsic to the economic success of individual households. It is also crucial to the economic health of the region. The Economic Development Strategy identifies the key clusters that act as the drivers of the economy. The success of these drivers requires skilled workers. Staff from Economic Development will work closely with staff of the Public Health and Community Services Department to achieve a consistent and co-ordinated approach to addressing the wide range of labour market issues and concerns in our community.

It should be noted that through the HR Matters II and Social Development Strategies, the City would be expected to demonstrate its commitment by becoming a “model employer” for supportive HR practices. The City’s own Human Resources Strategy currently under development in the Human Resources Department will incorporate elements to satisfy this expectation and deliver on Council’s commitment to becoming ”a City of Choice for high performing public servants.” City HR staff will work with Economic Development and Public Health and Community Services staff to ensure that these strategies are aligned.

The Short Term Vision for HR Matters II includes:

- Building On The Recommendations of the Phase I Report
- Working with Community Leaders to solicit input and develop commitment to the Plan
- For each HR Strategy identify the purpose, goal, target groups, outcomes, performance measures, milestones, resources plan
- Basing research on “Best Practices” globally

- Ensuring that the Plan is easy to implement, track and monitor

The Long Term Vision includes:

- A Work Plan geared towards producing tangible early results that project champions and the business community can rally around
- An accessible and transparent Business Plan that supports the Project Champions in taking the initiative forward
- A Strategy that allows people who live in Hamilton to work in Hamilton, identifying opportunities that are close to home to commuters as well as highlighting the advantages to a reduced commuting time
- Effective, long term partnerships with the post secondary institutions and the hospitals allowing them access to the employees that they need to continue to provide top quality services to the community.

ANALYSIS OF ALTERNATIVES:

The HR Matters II Project will provide a "gap analysis" in the form of an HR inventory of related activities currently undertaken in the City with the corresponding organizations responsible for their implementation. This will allow for the most efficient use of limited funds while avoiding duplication. Further, best practices investigation outcomes will determine whether there are any alternatives.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – Human Resources Development Canada, Industry Education Council, Hamilton Training Advisory Board, Community Partners and the City have provided both cash and in-kind contributions for the HR Matters II project valued at $292,102.00.

Staffing – Bearing Point, formerly KPMG Consulting Inc. has been hired to develop the HR Matters II Business Plan.

Legal – Not applicable.

POLICIES AFFECTING PROPOSAL:

Not applicable.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

A Steering committee was formed to guide the HR Matters Study in Phase 1. This Steering Committee continues with enhancements to cover all relevant Economic Development Strategy Clusters. Representatives from the Hamilton Health Sciences Corporation, Industry Education Council, Hamilton Training Advisory Board, Dofasco, Ministry of Enterprise Opportunity & Innovation, Tradeport International Corporation, Hamilton Chamber of Commerce – HR Sub-Committee, Stoney Creek Chamber of Commerce, Mohawk College, CanReg Inc., McMaster University, Hamilton-Wentworth Federation of Agriculture, Hamilton Tourism, Human Resources Development Canada (ex-officio members), Public Health Community Services and Economic Development Departments are working with Bearing Point consultants to undertake the Business Plan development. Each of these member representatives also provide value-added access to additional HR related businesses and organizations, leveraging greater access to the community and future Champions.

A key component of the Business Plan will be data collected through the implementation of Focus Groups aligned with the Economic Development Strategy Clusters. The Focus Groups will include a mix of small and medium sized businesses to determine their needs for continued growth into the future. This will be complemented by background research and external global best practices resources.

CITY STRATEGIC COMMITMENT:

Hamilton City Council has identified "A City of growth and opportunity" as one of its goals. Further, Economic Development has been identified as one of City Council's top priorities.

Sylvia Renshaw (x4114)

AFFECTS CITY WIDE

CITY OF HAMILTON

Office of the Mayor

13.2

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Robert E. Wade Mayor
Date: **File:**	March 18, 2003	**Prepared by:**	Paul Mason, Director, Long Range Planning & Design (905) 643-1262 Ext. 213 Guy Paparella, Mayor's Office (905) 546-4225

SUBJECT: **Response to Central Ontario Smart Growth Panel Discussion Paper (MAY03003) (City Wide)**

RECOMMENDATION:

a) That Council endorse the direction of the Central Ontario Smart Growth Panel's Discussion Paper "*Shape the Future*", subject to revisions being made to inconsistencies in its maps and the addition of refinements to definitions, prior to release as a final document. These revisions must include the following:

   i) That communities outside of the GTA, including the City of Hamilton are consistently and properly represented in the text and on the maps as future urban area and growth node designations to 2035.

   ii) Removal of the "Priority Areas for Growth and Investment" map on page 8 in its entirety due to its inconsistency with the text and other maps contained in the report.

   iii) The designation of John C. Munro Hamilton International Airport and the proposed Pickering international airport as "unique employment nodes" on the maps and an expanded definition of this term in the text of the report.

   iv) That the economic corridor presented on the "Draft Growth Concept for 2035" map be more representative of the proposed route of the Mid-Peninsula Corridor and a definition of this term be added to the text of the report.

b) That the Province of Ontario and Government of Canada provide targeted, long-term and sustained funding for current and future housing, transit/transportation, waste management and infrastructure initiatives, which implement "*Shape the Future*" principles.

c) That the Provincial and Federal governments transfer a permanent and predictable portion of tax revenues to support municipal responsibilities for delivering human services to a growing population so residents can be assured of the community health, education and economic resources required to implementation of *Shape the Future* principles.

d) That the Province of Ontario undertake a review of existing waste management legislation to ensure that it supports the implementation of the waste diversion objectives set out by the Central Ontario Smart Growth Panel's Discussion Paper.

e) That this report be forwarded to the Central Region Smart Growth Panel, the Minister of Municipal Affairs and Housing and all local area MPPs and MPs for their information and action.

Robert E. Wade
Mayor

EXECUTIVE SUMMARY:

A draft version of the Central Ontario Region Smart Growth Panel report, entitled *Shape the Future* was issued in late February. A very short timeframe has been provided for the receipt of public and municipal comments. This report summarizes the 'smart growth' principles recommended by that document. The Panel's report also contains a series of maps, which describe how these principles might be applied in planning for the year 2035. These maps contain a number of inconsistencies of concern to the City of Hamilton. This response recommends changes to the final version of the Panel's report to correct these deficiencies.

The Panel's mandate from the Province did not include consideration of growth financing issues. It is impossible for Ontario to achieve 'smart growth' in the absence of community growth financing as exists today. Hamilton must continue to challenge senior governments to deliver new systems of targeted, predictable and sustained funding as a pre-requisite for the implementation of 'smart growth' objectives.

The recommendations contained in MAY03003 are consistent with concerns and issues brought to the table throughout the Central Smart Growth Panel's deliberations by Mayor Wade that were not ultimately reflected in the draft directions presented in the Panel's Discussion Paper. It is critical to note that there was not unanimous agreement by the members of the Panel on components of the report especially as it relates to the maps and identified priority areas for growth and investment.

BACKGROUND:

In February 2002, the Provincial government established five regional Smart Growth Panels. The Central Region includes all county, regional and single-tier municipal districts from Peterborough on the east to Waterloo on the west; from Niagara on the south to Simcoe and Haliburton on the north.

Mississauga Mayor Hazel McCallion chaired the Central Region Smart Growth Panel. This Panel consisted of Mayor Wade and other municipal leaders; business, education, environmental groups; transportation organizations and the development industry. The Central Region Panel was charged with the responsibility to report to the Province on issues of gridlock, waste and growth strategies. Sub-panels were set up to examine these matters in detail. Mayor Wade was a member of the Growth Strategy Sub-panel that was chaired by Burlington Mayor Rob MacIsaac.

Shape the Future is a draft report issued by the Smart Growth Secretariat on February 20, 2003. Input on this discussion paper must be submitted by March 21, 2003, with the Panel submitting a final version to the Province of Ontario shortly thereafter.

Shape the Future sets out a vision for the Central Region to achieve through an integrated set of Smart Growth principles by the year 2035. These principles support a wide variety of choices for living, an integrated transportation network, protection and effective development of employment lands, a healthy environment, protected agricultural lands and compact urban and rural communities. This vision is expressed in this series of principles that articulate 'Smart Growth' objectives in five (5) key areas:

A. Reshaping Where We Live

- Give priority to existing infrastructure, community service investment, and economic development opportunities over further urban expansion.
- Give priority to balanced growth (jobs and people) through compact development supported by integrated and creative service technologies.
- Target public investment to lead the development of mixed use, higher density urban nodes linked by corridors of efficient transit/transportation service and supportive land uses.
- Plan for thirty (30) years growth with new infrastructure designed and built to support new integrated community plans (plan first/engineer next).

- Preserve employment lands from conversion to other urban uses and protect them from encroachment of incompatible uses, particularly nearby major transportation corridors.
- Address affordable housing needs especially in regional nodes through new rental/high density housing initiatives.
- Revitalize waterfronts, especially in Toronto.

B. Unlocking Gridlock

- Develop an integrated transportation system that includes road, transit, walking, cycling and goods movement programs and facilities that manages overall travel demand.
- Make transit the first priority, especially to link and enhance the role of key urban nodes and corridors.
- Co-ordinate investment in inter-regional and local transit.
- Priority investment in highways that facilitate international trade and economic success, but do not encourage sprawl.
- Create a strategy with the Federal government for moving people and goods by air, rail and water.

C. Rethinking How We Manage Waste

- Implement and aggressively enforce a diverse portfolio of waste diversion and recycling programs, based on incentives and penalties; especially for institutional, commercial and industrial waste.
- Reduce the entire Region's dependence on waste export over the next ten (10) years through a rationalization of private landfill capacity and the economies of scale in municipal disposal facilities.
- Develop a plan within 2 – 5 years to require composting of all organic waste.
- Encourage full-cost waste system user fees within 2 – 5 years.

D. Optimizing Other Infrastructure

- Give priority to the optimal use of existing hard and soft infrastructure to accommodate growth before urban expansion is considered.
- Integrated, watershed-focused planning of water supply and wastewater systems to include conservation, source protection and to avoid inter-basin transfers.
- Invest in post-secondary institutions to support growth of the knowledge-based economy.
- Invest in a broad band communications infrastructure.
- Invest in preserving and upgrading water and wastewater systems through full cost pricing and the use of creative technologies.

- Ensure investment in alternate energy technologies and enhance regulatory requirements for energy audits and efficiency for existing buildings.

E. Protecting Our Environment

- Identify and protect irreplaceable natural resources through a constraint planning system of core ecological areas and corridors.
- Strictly limit further non-farm development and settlement expansion in rural resource areas.
- Effectively protect the long-term viability and ensure an economically prosperous agricultural industry to preserve its prime land resources.
- Restore degraded lakes and rivers.

The Discussion Paper which is attached as Appendix A of Report MAY03003, provides a "high level" explanation of these principles. It recognizes that some will take further research and consultation to develop into definitive policies and practical programs. It also recognizes that in the transition period leading to final implementation, governments will make local compromises to these objectives, but intends that they be mindful of overall Central Region goals when doing so. In a number of cases, new legislation or a Provincial enforcement role is recommended or implied to ensure comprehensive implementation, and to monitor and co-ordinate local processes to achieve this vision.

Shape the Future also contains a series of "conceptual" maps that are intended to give expression to those aspects of the strategy to shape the physical growth and character of the Central Region.

On Page 6 of Appendix A of Report MAY03003, a figure entitled "Draft Growth Concept for 2035" displays a concept map of the overall growth strategy. It sets out a pattern for future urban areas, major natural environmental and agricultural resource protection zones, existing and proposed highway/economic corridors, short and long-term transit routes, high density, mixed use nodes and a "unique employment node" focused on Pearson International Airport.

On Page 7 of Appendix A of Report MAY03003, three smaller diagrams more clearly identify elements of the integrated transportation strategy. These show short and long-term transit and highway corridors/strategies separately. The proposed transportation strategy generally follows the route of existing road and rail facilities. New highway corridors are also identified. One of these is a "by-pass" highway far removed to the north and west of the Central Region's principle urban centres. To our knowledge it is entirely unique to this draft report.

On Page 8 of Appendix A of Report MAY03003, a map identifying "Priority Areas for Growth and Investment" is provided. Unlike the maps on Pages 6 and 7 of Appendix A of Report MAY03003, there is no direct link in the text of the document to explain this map. It clarifies which high-density, mixed-use urban nodes shown on Page 6 of Appendix A of Report MAY03003 are considered to be “existing” or “planned”. Hamilton is shown with one “existing” node, presumably the downtown.

It displays designated urban areas and appears to show zones of future urban expansion for communities in the GTA, and the City of Barrie by way of a related shading colour. No urban expansion zones are identified for other Central Region municipalities, including the City of Hamilton.

Although the Pickering and John C. Munro Hamilton International Airport lands have long functioned and are intended to function as international airports, only Pearson International Airport is identified as a “priority employment node”. There is no explanation in the text or maps of the document to describe what this means. It is recommended that both of these airports be identified as priority employment nodes and that this term be more clearly defined in the text of the report.

ANALYSIS OF ALTERNATIVES:

The draft text of *Shape the Future* addresses a comprehensive and balanced set of ‘smart growth’ principles. While debate and the concerns of special interests could legitimately be focused on individual principles, the entire package must reflect a comprehensive and integrated commitment to change. It is Hamilton’s view that the overall package is an appropriate proposal for effective and fundamental change in how the Central Region manages issues of gridlock, waste and growth management. The details of each component will undoubtedly be refined as ‘smart growth’ principles are more clearly articulated and translated to specific policies and programs in the future.

However, the text of *Shape the Future* does not deal with one central and directly related matter – finances. It is impossible for Ontario to achieve ‘smart growth’ without comprehensively developed systems of community growth financing. Central to any reform of growth policy must be fundamental changes to current financing systems related to housing, transportation, infrastructure and human services.

The present system of senior government financing for these essential elements of a ‘smart growth’ strategy is widely recognized as being far too inconsistent, unpredictable and inadequate to achieve the strategic growth objectives of Canada’s leading incubator and home of prosperity. The mandate of the Central Region Smart Growth Panel did not allow it to deal with this self-evident issue. It is an appropriate matter for the City of Hamilton to raise in its response to the Panel’s report.

The maps in *Shape the Future* are a necessary attempt to provide tangible expression to the principles outlined in the text, at least those which can be represented in graphic or physical terms. However, the maps can be interpreted to convey a level of clarity and rigor in technical justification that does not exist.

Hamilton is concerned that the maps are potentially destructive of the consensus that needs to be achieved in the Central Region to implement the Panel's valid principles of 'smart growth'. Three components of these maps are indicative of this concern and require that revisions be made, prior to the Panel's final submission to the Provincial Government:

1. **Inconsistency in Urban Boundary and Node Designations**

   Pages 6 and 8 maps of Appendix A of Report MAY03003, articulate the "2035 Growth Concept" and "Priorities for Growth and Investment". The future urban areas shown on these maps generally reflect urban boundary designations and policies of the current Official Plans in the Central Region.

   Only the GTA municipalities of Toronto, Durham, York, Peel and Halton are now permitted by the Province to plan for a 30-year time frame. Only they have devised comprehensive Official Plan policies and designations for "nodes and corridors". Other Central Region municipal Official Plans are restricted to a 20-year time horizon. Most have not had the need or opportunity to articulate a policy on nodes and corridor development – valid as that concept may be to achieve 'smart growth' objectives.

   This inconsistency means all non-GTA urban boundaries and growth nodes, shown on Pages 6 and 8 maps of Appendix A of Report MAY03003, (including the City of Hamilton) are not fairly nor accurately represented in relation to their 30-year growth opportunities. Multiple nodes and urban expansion opportunities are shown on these maps to be the sole purview of the "core" GTA municipalities, and for some unexplained reason, the City of Barrie. No allowance for this fundamental inconsistency is made in the document's text. By default or design, these maps can be interpreted to provide a huge advantage to the "core" GTA municipalities and an unjustified liability to all the others. This strategic inconsistency is particularly damaging in relation to the "Priority Areas for Growth and Investment" map, shown on Page 8 of Appendix A. There is no explanation of in the text of the document for this important map.

   This significant defect must be corrected in the final version of the document. This can be accomplished through the deletion of the "Priority Areas for Growth and Investment" map on Page 8 of Appendix A as recommended in this report. Alternatively, a clear explanation could be provided in the text to indicate that planned nodes and urban boundary revisions, for other Central Region municipalities, will take place in the future when they resolve their own 30-year growth options; similar to what the GTA has done. It should indicate that "priority areas for investment" will be expanded/revised to include these future changes to ensure a consistent and comprehensive set of priorities for the entire Central Region, not just the GTA.

2. Unique Employment Nodes

Another mapping concern, shown on Pages 6 and 8 to Appendix A of Report MAY03003 relates to the "unique employment node" designation for Pearson International Airport. Both the Pickering and John C. Munro Hamilton Airports now function and have been planned to function as international airports. Both present unique opportunities within the 2035 planning horizon for achieving roles of significance to the entire Central Region. Both require focussed investment from all levels of government to achieve that potential, whereas privatization of Pearson International Airport has clearly demonstrated that it does not.

The John C. Munro Hamilton International Airport is already the largest courier cargo airport in Canada. It supports a national air passenger service through Westjet, weekly international passenger charters and has serviced the largest international aircraft in existence today. It is already functioning in a secondary and supportive role for many of the air service functions found at Pearson International Airport. With further strategic investment, Hamilton's airport could fulfil an important strategic role directly supportive of the 'smart growth' principles contained in *Shape the Future*. That investment would defer the need for massive federal and provincial expenditures in the development of the proposed Pickering Airport and free up infrastructure investment capital for other 'smart growth' priorities set out in *Shape the Future*.

Once again, this inconsistency to the fundamental principles of *Shape the Future* is given no explanation or acknowledgement. There is no justification for why Pearson International Airport warrants consideration above the other international airports that already exist or are planned to service the Central Region.

3. Land Based, Economic Corridors

In spite of a rather awkward definition, the land corridor (a.k.a. new highway) designations, shown on Pages 6 and 8 of Appendix A of Report MAY03003, are generally reflective of the existing 400 series routes and future highway concepts advanced by the Ministry of Transportation's "Smart Growth Highway Strategy" in 2001. These include extensions and new connections to Highway 407 in Durham, a northerly extension of Highway 427 to by-pass Barrie, and a new east-west route between Highway 400 and Guelph that would parallel Highway 401 to the north (including a link between the two in Halton).

The sole exception is an entirely new transportation corridor, shown on the maps as a "by-pass" of the entire Central Region urban "core" and separated from it by a very considerable distance. This corridor could run from a point far east of Peterborough westward toward Kitchener-Waterloo on an alignment north of the Oak Ridges Moraine. (The proposed route would duplicate the function of the other parallel highway corridor, proposed above, between Highway 400 and Guelph.) From Waterloo, it would traverse the western extremity of Flamborough to join the alignment of the previously proposed Mid Peninsula Corridor near Highway 403 and then on to the U.S. border through Niagara.

While the proposal for this corridor is perhaps more "conceptual" than others, it is exceedingly difficult to link it to the logic of the Panel's corridor planning objectives. That logic calls for investment priority in highways "that facilitate international trade and contribute to economic success". For almost its entire east-west alignment, this proposed route is far removed from any significant employment district or international trade origin/destination in the Central Region. Previous MTO transportation analyses confirm that the overwhelming majority of international trade in Ontario (indeed in most of Canada) utilizes the Windsor and Niagara bridge crossings, not those in Eastern Ontario.

While improved links between Guelph and Kitchener-Waterloo and the Hamilton and Niagara regions are likely to be worthwhile, they do not contribute to a far higher need, which MTO transportation studies show to be required for efficient links between the GTA and the US border. This conceptual route fails to directly link with other major GTA highway corridors in any feasible or efficient manner. For example, it does not acknowledge the existence of fundamental capacity constraints in Highway 403 that would be used by the majority of GTA traffic to takes advantage of such a new 'international' corridor.

Portions of this conceptual route that follow the Mid-Peninsula Corridor are in Hamilton's best interest to support. However, the value of the Mid-Peninsula corridor to the economic development objectives of the City would be significantly undermined without a direct and credible relationship to the GTA highway network. The proposed alignment of this "new" corridor is so tenuously related to the logic of the Panel's own definition that it undermines the credibility of the entire Land Corridor proposal. Page 6 and 8 maps, as shown in Appendix A to Report MAY03003, should be altered to more closely represent the present Mid-Peninsula Corridor, as currently proposed by MTO.

Managing our Waste

The City of Hamilton has adopted a Solid Waste Management Master Plan (SWMMP) and set a target of 65% diversion from landfill. This diversion goal is to be achieved through large scale composting and expanded recycling. The following Central Ontario Panel recommendations and strategic directions parallel the City's current SWMMP:

- Implement a diverse portfolio of options, including reduction at source, recycling composting landfill, energy from waste and thermal treatment and potential new waste management technologies.
- Waste diversion should be maximized, and Waste Diversion Ontario (WDO) plays a critical role in increasing waste diversion.
- Reduce the dependence on waste export over the next 10 years, reduce our dependence on landfill.

- Set diversion targets, and phase them in over the next 30 years.
- Regulate the composting of organic waste to eventually prohibit the disposal of organic matter in landfill sites.
- Encourage user fees, as a disincentive to waste production.
- Explore and invest in new waste management technologies.

The City of Hamilton supports the further direction from the Panel regarding the Provinces roll in regulating the following:

- Aggressive enforcement of recycling and diversion regulations governing institutional, commercial and industrial (I, C & I).
- Improving access to private landfill sites to reduce dependence on exporting waste.
- Revisiting the option of energy from waste or thermal treatment, particularly in regard to the provincial definitions of disposal and diversion.
- Assessment of industry standards for packaging to reduce waste at its source.
- Creation of financial incentives by the province to encourage cross-regional co-operation in the development of appropriate infrastructure to ensure cost effective management of organic waste.

The City of Hamilton strongly supports partnerships and collaboration with other municipalities for joint facilities and efforts on waste reduction and diversion. This can include private sector and industry involvement as long as municipalities retain strategic ownership. Hamilton's Solid Waste Management Plan does not, however, support importing or exporting waste, thus we are opposed to the use of Hamilton's municipal landfill as a solution for another municipality's waste.

Municipal Diversion targets are difficult to achieve without backdrop provincial legislation in place to support the necessary initiatives that will be required. Examples can be found in the European Union and Nova Scotia. Of particular importance will be a review of current legislation for composting.

The passage of the *Waste Diversion Act* is an important first step in advancing waste diversion in Ontario. Continued commitment to reducing packaging, product stewardship and industry cost sharing of waste management costs is essential for more aggressive waste diversion programs. Financial support can also take the form of municipal training and information sharing initiatives.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – Not applicable.

Staffing – Not applicable.

Legal – Not applicable.

POLICIES AFFECTING PROPOSAL:

The final Central Region Smart Growth Panel's recommendations could significantly influence the outcome of the Growth Related Integrated Development Strategy (GRIDS) project that Council has recently authorized.

The 'smart growth' principles set out in the text of *Shape the Future* will provide valuable direction for the development of "growth themes", which the GRIDS work plan will develop in the next year.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Input to the report was solicited from the Public Works Department, Waste Management and Infrastructure Planning Divisions.

CITY STRATEGIC COMMITMENT:

The draft maps of *Shape the Future* do not reflect or support Council's Goals and Strategies with respect to the John C. Munro (Hamilton) International Airport. Many of the 'smart growth' principles, outlined in the text of *Shape the Future,* are compatible with other elements of Council's Goals and Strategies, as well as the sustainable community development objectives of VISION 2020.

APPENDIX A

Ontario Smart Growth

Shape the Future: Central Ontario Smart Growth Panel Discussion Paper

Ontario
Smart Growth

Shape the Future

Central Ontario Smart Growth Panel

Discussion Paper

February – March 2003

Central Ontario Smart Growth Panel

Discussion Paper

February – March 2003

This document outlines draft advice, prepared by the central Ontario Smart Growth panel, on a long-term growth strategy for central Ontario. The panel recognizes that managing growth is a complex undertaking. This draft advice is comprehensive in its approach, but it raises important questions that require further discussion and study. The panel is seeking public input before presenting its final advice to the Ontario government.

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Smart Growth panel seeks public input on future of central Ontario

People want to live in a vibrant, healthy community with a strong economy and good job opportunities. At the same time, they want a positive quality of life for themselves and their families, including a clean environment and livable communities.

Central Ontario, home to more than 7.5 million people, has all this and more. The tremendous population and economic growth we've experienced over the past 20 years has allowed this area to become one of the best places to live in North America, if not the world. But current population pressures are straining the infrastructure that provides the foundation for our way of life. Our infrastructure hasn't kept up with the pace of growth. Traffic gridlock, air pollution and increasing pressure on our green spaces and farmland are all signs of this reality.

Over the next 25 years, three million more people are expected to call central Ontario home. We need this growth. It can contribute to all the things that we associate with a high quality of life – such as transportation and transit systems, water and sewer systems, and schools and hospitals – if we plan for it.

The Ontario government has set up five Smart Growth panels across the province, including in central Ontario, to help it plan for the tremendous population increase that's expected over the next 25 to 30 years. The panels, made up of women and men from local communities throughout the zone, are helping the province and municipalities promote clean, healthy environments, economic growth and strong communities.

The Smart Growth panels are advising on a range of priorities to help the province make decisions on infrastructure investments, including transit, and on means of protecting and managing Ontario's natural heritage and resources. The central Ontario panel has developed recommendations for a long-term growth strategy.

The panel is holding consultations to meet with the broader public and seek its input on a strategy for future growth. (See back page for details on how to submit your input.)

The panel needs your help and feedback to ensure that its recommendations are on the right track. Public feedback will help shape the panel's final advice to the Ontario government. That's important, because that advice will guide an overall growth strategy for central Ontario and will be used by the province, other levels of government and the private sector in their decisions concerning future growth.

Get involved: Have your say in how it all happens

A provincial Smart Growth strategy is critical to the future growth and prosperity of central Ontario. It will prioritize how public dollars should be invested in infrastructure, such as roads, transit, and water and sewer systems, over the next 30 years. It will map out which lands should be protected and where investment should be directed for development and jobs. It will touch many aspects of our lives in this region.

This booklet provides background on the panel's work, including the vision, principles, values and directions that panel members believe should guide the province's growth strategy for central Ontario. In preparing its work, the panel heard from a number of experts, community leaders, scientists and researchers on a wide range of topics, including regional economy, travel, social change, greenlands and agriculture.

Now, the panel wants to hear from you. Your involvement is important. It will influence a future growth strategy for central Ontario.

Get involved. Give us your advice and feedback. This is your chance to have a direct say in shaping the future of central Ontario.

The proposals included in this document are not the panel's final recommendations to the province. Final recommendations will be developed based on the feedback the panel receives from stakeholders and members of the public.

A look to the future

Smart Growth is about making responsible choices that allow us to maintain a high quality of life while our communities grow.

The 2001 Statistics Canada census shows that, from 1995 to 2001, almost half of Canada's total population growth — and more than 90 per cent of Ontario's growth — took place in central Ontario.

It's good that people want to live here, and we must keep it that way. Our children, grandchildren and newcomers from other parts of Canada and abroad all contribute to our rich fabric of life. They start businesses that create jobs and contribute tax revenue. They provide a market for the products and services that are produced and delivered here.

It's clear that we cannot allow growth to just happen. When growth is not managed well, it comes at a price. Chronic gridlock, increasing smog and loss of forests and green spaces can result in fewer economic opportunities and jobs when businesses choose not to invest in areas where quality of life has deteriorated.

Strategic investment in infrastructure is needed to accommodate and encourage future growth and to ensure a prosperous future.

Everyone has an interest in Smart Growth

It's estimated that more than 15 million people will live in Ontario by 2026. That's almost four million more than in 1999. The Ontario government wants all regions of the province to benefit from that growth. That means urban, rural and remote communities across Ontario.

Smart Growth is the government's vision for promoting and planning for growth in ways that create strong economies, build vibrant communities and promote clean, healthy environments.

The Smart Growth approach

Builds consensus:
At its core, Smart Growth is about building consensus and creating partnerships. Growth issues cross municipal boundaries and government jurisdictions; they encompass such areas as transportation, infrastructure and land use; and they affect stakeholders differently. To get everyone working toward the same goals requires building consensus among key stakeholders, integrating decision-making within and among governments and gaining broad public support.

Promotes and manages growth:
Smart Growth welcomes growth for its ability to generate new businesses, jobs and the revenue necessary to support the services we value. As much as it welcomes growth, this initiative recognizes that growth must be managed to protect the environment and ensure residents a high quality of life.

Looks at the big picture:
Smart Growth asks us to take a longer-term view in planning for growth. It calls for being more strategic about where public money is spent. In other words, Smart Growth is a plan for further improving quality of life across the province but for doing so strategically and in ways that are right for each zone.

For more information and examples of Smart Growth initiatives, visit www.smartgrowth.gov.on.ca.

How the central panel works

The panel's role is to build consensus among stakeholders and the public on a growth strategy for central Ontario. Its advice will help governments and others make co-ordinated decisions on infrastructure, transportation and community planning — decisions that support healthy growth.

The panel believes that Smart Growth can be achieved if the economy, the environment and social equity are balanced in development and investment decisions. Decisions on planning, transportation, economic development and the environment must also be better co-ordinated within governments and across local boundaries.

Over the past 12 months, panel members have started creating a blueprint for how healthy growth can occur in central Ontario over the next 30 years. Now they need feedback on the directions that they are mapping out.

Meet the central Ontario Smart Growth panel

The central panel consists of leaders from municipal governments, business, education, environmental groups, transportation organizations and the development industry. Meet its members:

Hazel McCallion, mayor, Mississauga (panel chair)

Dr. Gordon Chong, chair, GO Transit (panel vice-chair, gridlock sub-panel chair)

Marcel Brunelle, mayor, Town of Whitby

Debbe Crandall, executive director, Save the Oak Ridges Moraine Coalition

Dr. Brian Desbiens, president, Sir Sandford Fleming College

Tony Dionisio, director, Toronto Waterfront Revitalization Corporation

Ron Eddy, mayor, Brant County

Jim Faught, executive director, Federation of Ontario Naturalists

Bill Fisch, chair, York Region (waste sub-panel chair)

Peter Gilgan, president and chief executive officer, Mattamy Homes

Robert MacIsaac, mayor, City of Burlington (strategy sub-panel chair)

Ron Millen, deputy reeve, Smith-Ennismore-Lakefield

Ann Mulvale, mayor, Town of Oakville

Mike Murray, commissioner of transportation and environmental services, Regional Municipality of Waterloo

Fraser Nelson, general manager, Metrus Development Inc.

Case Ootes, deputy mayor, City of Toronto

John Sheridan, president, Bell Canada

Bob Wade, mayor, City of Hamilton

Hazel McCallion (shown here with other panel members) is leading the central Ontario Smart Growth panel. From left to right: Jim Faught, Debbe Crandall, Tony Dionisio, Brian Desbiens, Robert MacIsaac, Marcel Brunelle, Hazel McCallion, Chris Hodgson (former Minister of Municipal Affairs and Housing), Bill Fisch, Ron Eddy, Ann Mulvale, Gordon Chong, Ron Millen, Mike Murray

What if there were no Smart Growth?

What would happen in 30 years if growth continued at its current pace, if we planned communities as we do now and if we invested in infrastructure as we do at present?

An independent Canadian research organization, the Neptis Foundation, recently commissioned a report that tries to answer these questions.

While great progress has been made in how we have managed growth over the past decade, much more can be done.

The Neptis Foundation's interim report of 2002, entitled *Implications of Business-as-Usual Development*, projects the future impact on central Ontario of having 3.1 million more people, if current trends in infrastructure investment, employment, consumer preferences and commuting patterns continue. It concludes that the impacts on our quality of life would be profound.

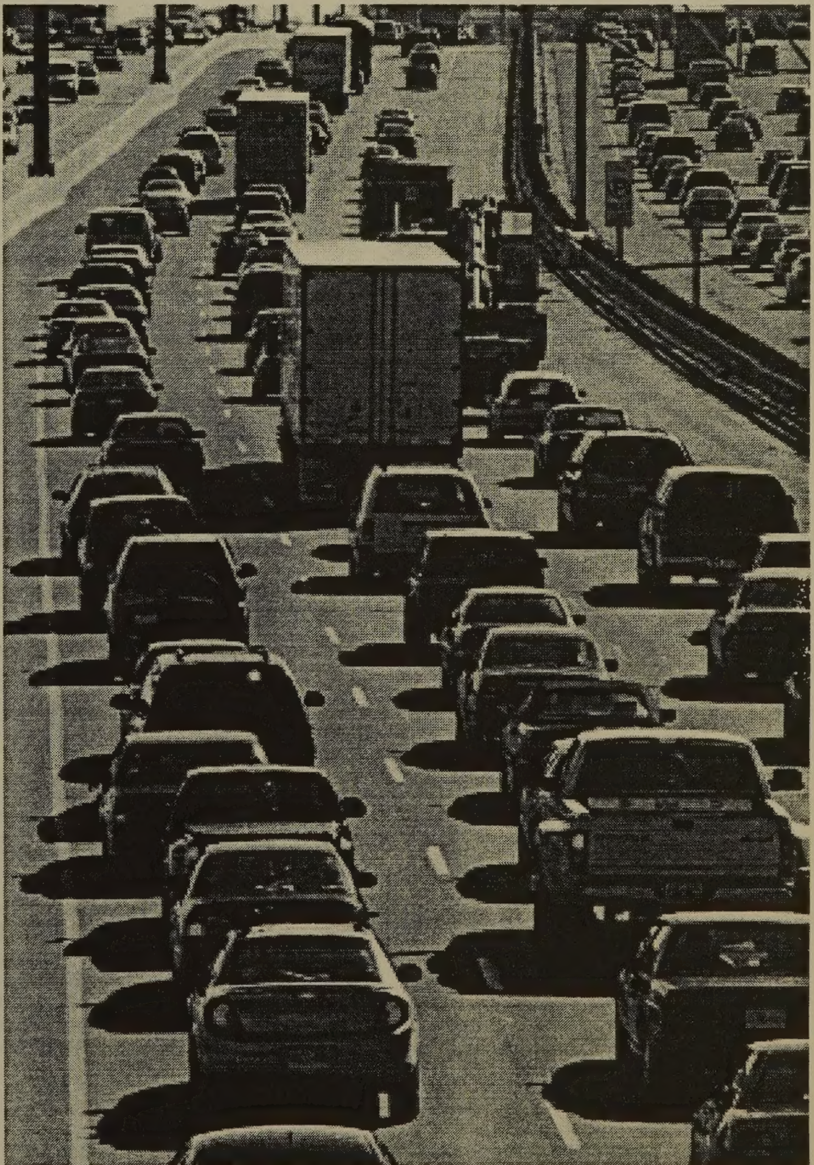
Commuting to work would take longer. Travelling in morning rush hour would take 45 per cent longer than it does now, even though distances would increase by only nine per cent. This would be time lost with our family and friends.

Air quality would get worse. Even with stronger emission controls, the carbon dioxide produced by cars would go up by 42 per cent.

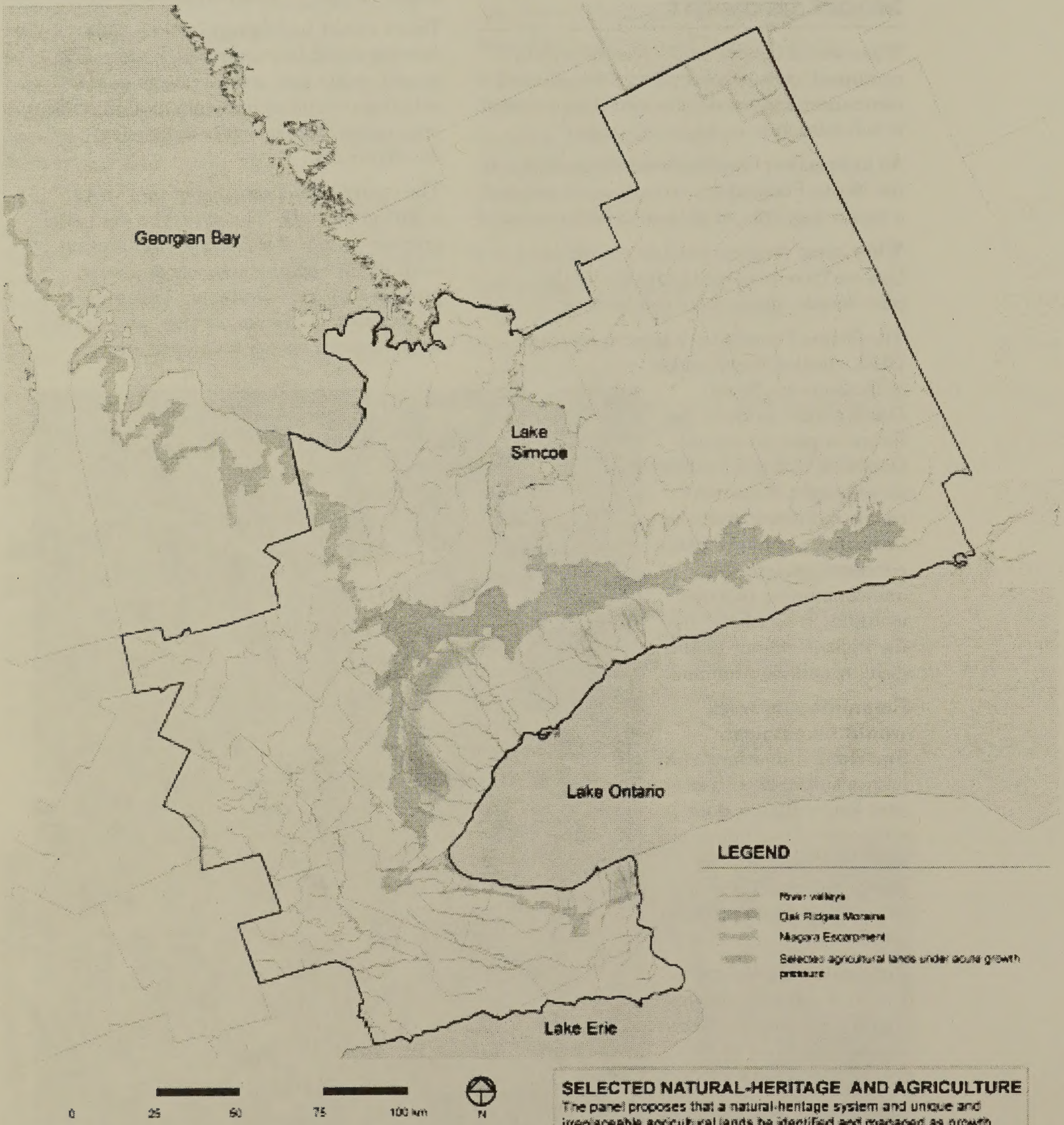
Economic competitiveness would suffer. Delays in the movement of goods due to increased traffic gridlock would increase costs for businesses and consumers. Even today congestion costs the economy an additional one billion dollars in transportation costs.

Taxes could be higher. New revenue sources would be required to build roads, transit, water and sewer systems in new urban areas and to maintain and upgrade our current infrastructure in existing developments.

The central panel considered the Neptis report in its work. The strategies the panel proposes in this document would prevent some of the negative impacts of growth projected by the foundation. For more information on the foundation, and to read its full report, visit **www.neptis.org**.



Selected Natural Heritage and Agriculture

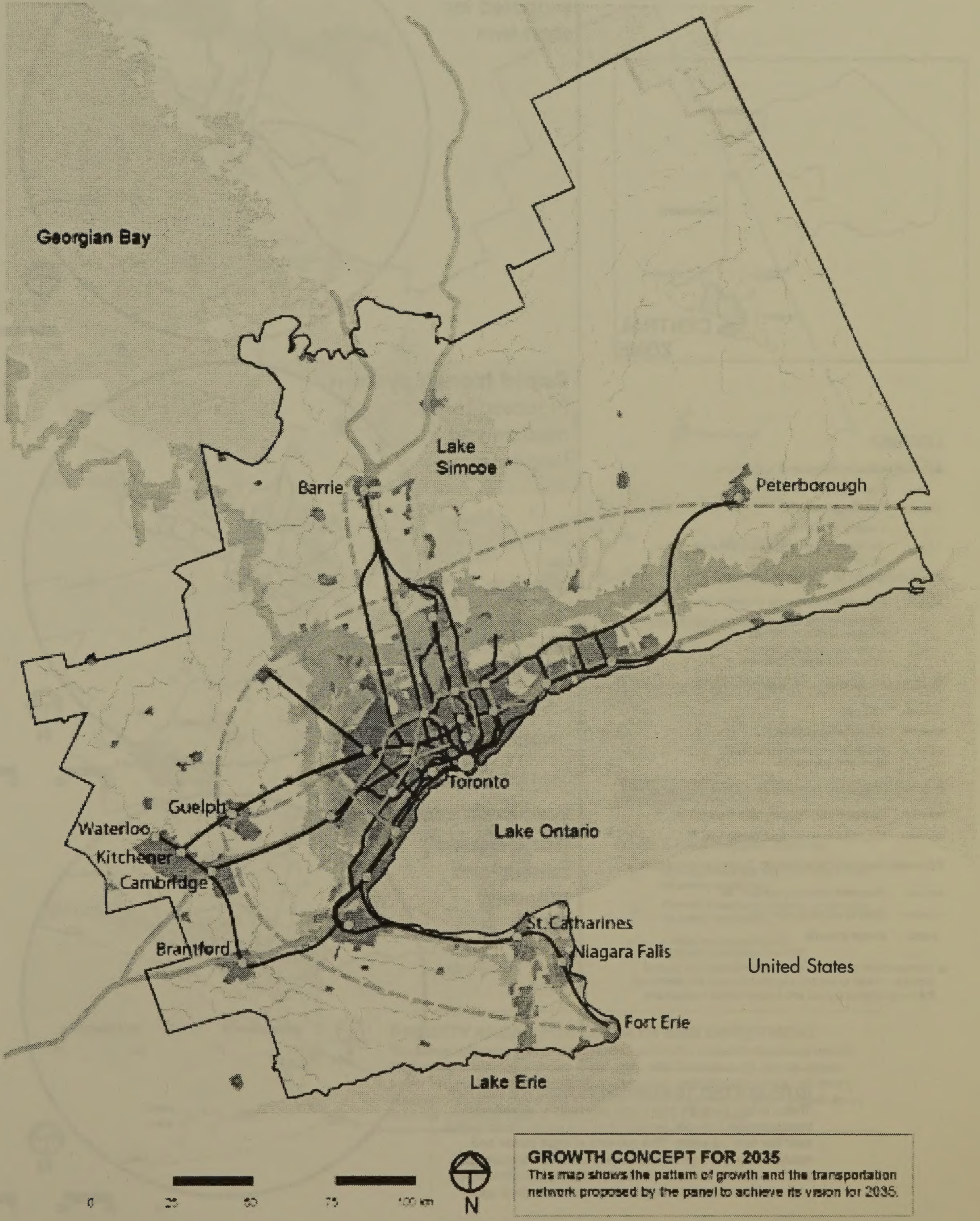

Georgian Bay
Lake Simcoe
Lake Ontario
Lake Erie
LEGEND
River valleys
Oak Ridges Moraine
Niagara Escarpment
Selected agricultural lands under acute growth pressure
0
25
50
75
100 km
N

SELECTED NATURAL-HERITAGE AND AGRICULTURE

The panel proposes that a natural-heritage system and unique and irreplaceable agricultural lands be identified and managed as growth occurs. As a first step, the panel has identified some elements of a natural-heritage system, as well as some agricultural lands under acute growth pressure. More work is required to complete this analysis.

Draft Growth Concept for 2035

DRAFT


Georgian Bay
Lake Simcoe
Barrie
Peterborough
Toronto
Lake Ontario
Guelph
Waterloo
Kitchener
Cambridge
Brantford
St. Catharines
Niagara Falls
United States
Fort Erie
Lake Erie
0
25
50
75
100 km
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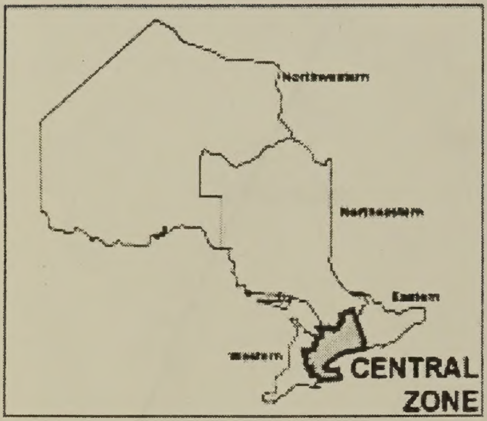
GROWTH CONCEPT FOR 2035

This map shows the pattern of growth and the transportation network proposed by the panel to achieve its vision for 2035.



LEGEND

Selected natural-heritage and agriculture

- River valleys
- Oak Ridges Moraine
- Niagara Escarpment
- Selected agricultural lands under acute growth pressure

Priority areas for growth and investment

- ▨ Designated urban area for growth priority
- ○ Planned and existing mixed-use, regional, urban node for priority investment
- ☐ Unique employment node Pearson International Airport

Rapid transit system: Existing and proposed for short term

- TTC rail
- GO rail service (2003)
- Proposed bus rapid transit (BRT) spine and connectors

Rapid transit system: Proposed for medium and long terms

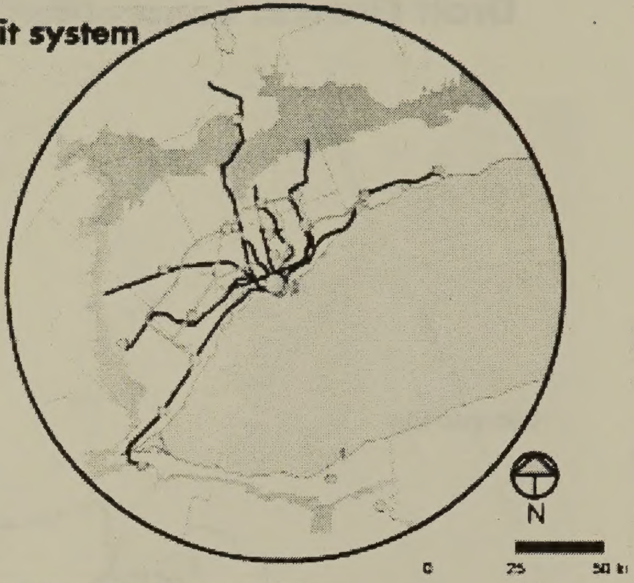
- Proposed inter-regional rapid transit (GTA) ★
- Proposed inter-city rapid transit links ★

Economic corridors (land-based): Existing and proposed

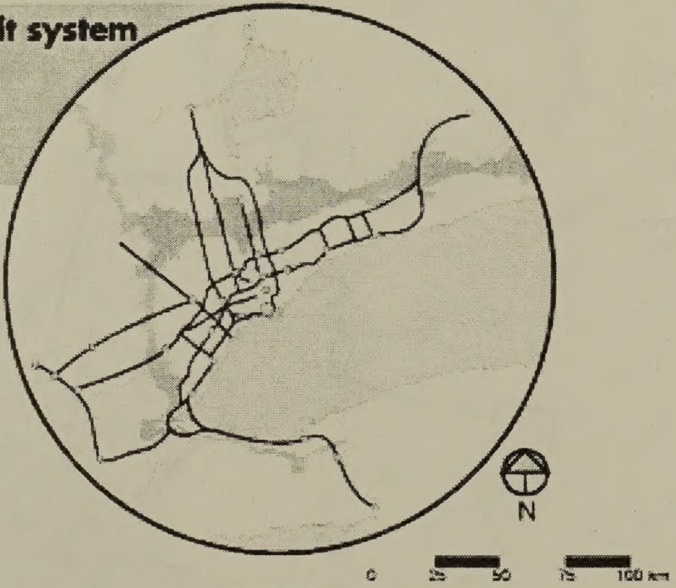
- Proposed economic corridor ★
- Existing economic corridor
- Border crossing

★ Transportation corridors shown here indicate their general location. Actual routes and alignments would be determined following detailed studies and environmental assessments.

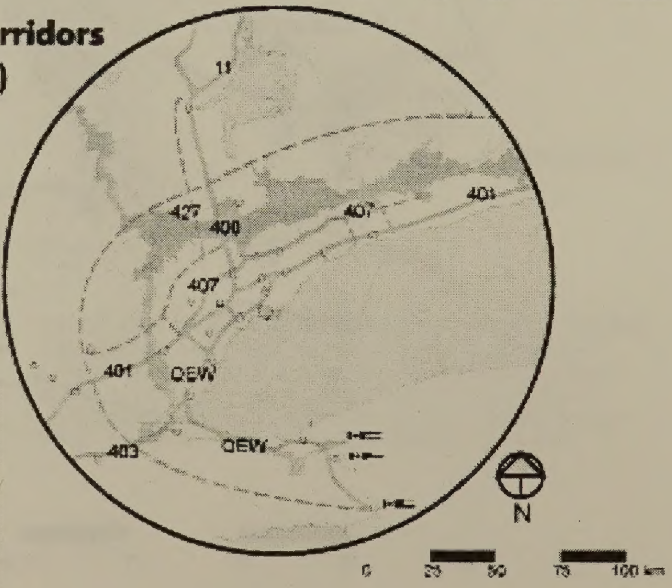
Rapid transit system
Existing and proposed for short term



Rapid transit system
Proposed for medium and long terms



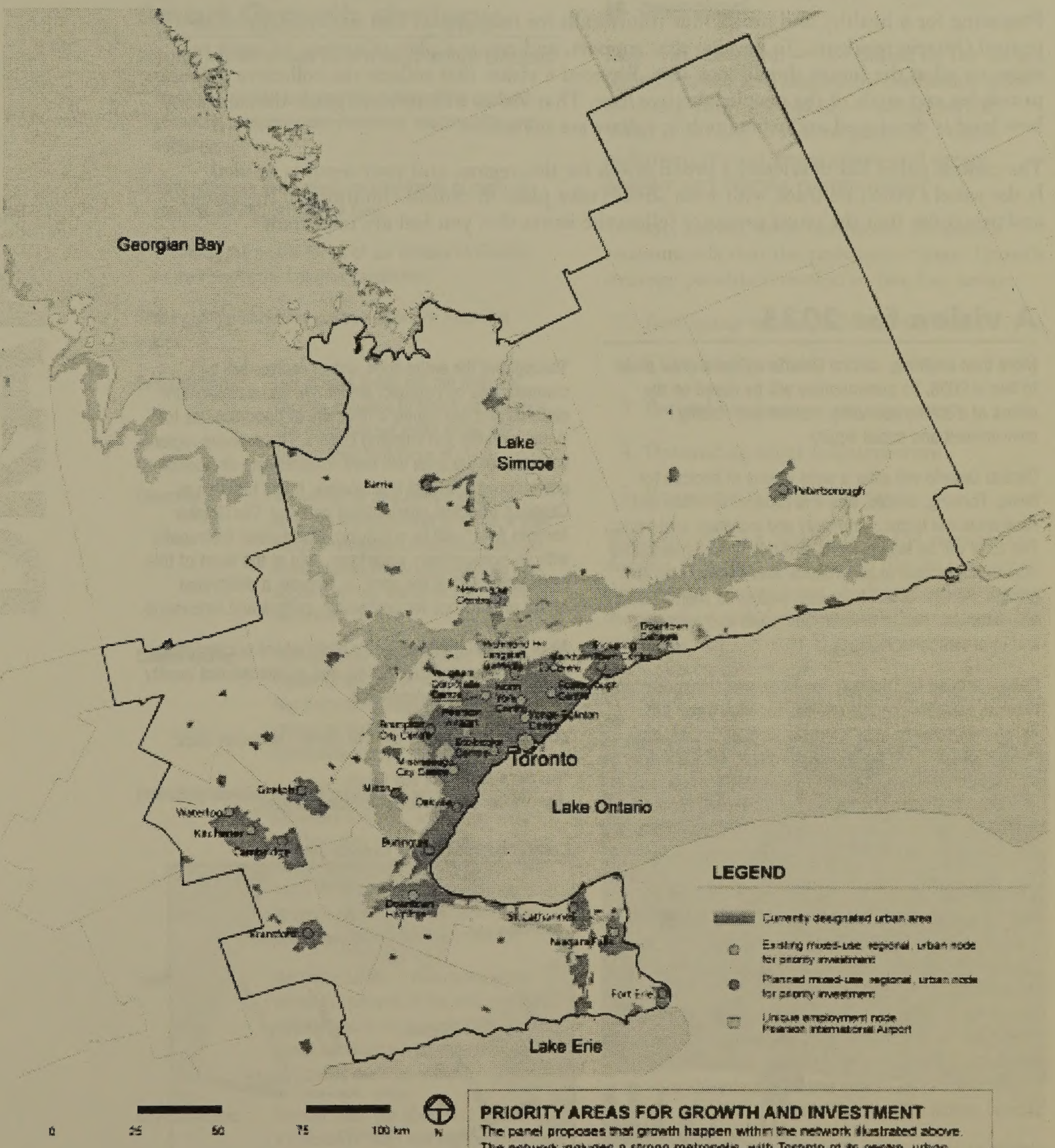
Economic corridors (land-based)
Existing and proposed



INTEGRATED TRANSPORTATION NETWORK

These maps illustrate how some elements of an integrated transportation network, proposed by the panel, would evolve over the next 30 years. This network of rapid transit and roads would link together with other forms of transportation, such as marine, air and rail, to allow for the easy movement of goods and people throughout the central Ontario zone.

Priority Areas for Growth and Investment



Georgian Bay
Lake Simcoe
Barrie
Peterborough
Newmarket Centre
Downtown Oshawa
Richmond Hill Langstaff Gateway
Markham Centre
Pickering
Vaughan Corporate Centre
North York Centre
Scarborough Centre
Pearson Airport
Yonge-Eglinton Centre
Brampton City Centre
Etobicoke Centre
Toronto
Mississauga City Centre
Milton
Oakville
Guelph
Waterloo
Kitchener
Cambridge
Burlington
Lake Ontario
Downtown Hamilton
St. Catharines
Niagara Falls
Brantford
Fort Erie
Lake Erie
LEGEND
Currently designated urban area
Existing mixed-use, regional, urban node for priority investment
Planned mixed-use, regional, urban node for priority investment
Unique employment node Pearson International Airport
0
25
50
75
100 km
N

PRIORITY AREAS FOR GROWTH AND INVESTMENT

The panel proposes that growth happen within the network illustrated above. The network includes a strong metropolis, with Toronto at its centre, urban areas and mixed-use (residential, commercial, institutional) nodes, all linked together. Focusing public investment on these areas would steer growth away from our treasured natural heritage system and rural areas.

Creating a common vision

Preparing for a healthy and prosperous future calls for the support and involvement of all central Ontario residents. To develop that support, and create a plan of action, we need to agree on what the future should look like. We need a vision that reflects the collective values, principles and goals of the people who live here. That vision will, in turn, guide decisions on how land is developed and where public dollars are invested.

The central panel has developed a broad vision for this region, and your input is needed. Is the panel's vision on track with what should take place in central Ontario? Do the values and principles that the panel proposes reflect the issues that you feel are important?

A vision for 2035

More than anything, central Ontario will be a great place to live in 2035. Its communities will be based on the pillars of a strong economy, a clean and healthy environment and social equity.

Central Ontario will offer a wide variety of choices for living. Thriving, livable, safe and productive urban and rural areas will foster community and individual well-being. The zone will be supported by a modern, well-maintained infrastructure built in accordance with a broad plan for growth. Residents will have easy access to shelter, food, education and health-care facilities, arts and recreation and information technology.

Getting around will be easy. An integrated transportation network will allow people choices for easy travel both within and between urban centres throughout the zone. Public transport will be fast, convenient and affordable. Roads, while still a significant means of transport, will be only one of a variety of effective and well-used choices for transportation. Walking and cycling will be practical elements of our urban transportation systems.

A healthy natural environment with clean air, land and water will characterize the zone. Significant natural features, such as the Oak Ridges Moraine and Niagara Escarpment, will be enhanced and protected in perpetuity. They will form the key building blocks of a regional natural-heritage system. The region's rivers and streams, forests and natural areas will be protected and easily accessible for residents to enjoy their beauty. Open spaces in our cities, towns and the countryside will provide people with a sense of place.

Unique and high-quality agricultural lands will be protected for future generations. Farming will be productive, diverse and sustainable.

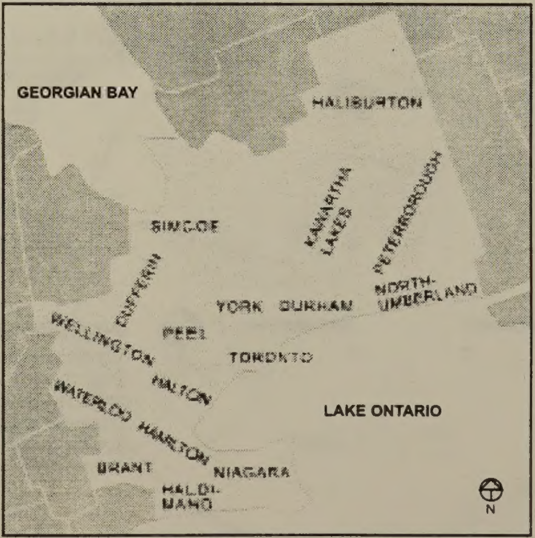
Throughout the entire zone, urban centres will be characterized by compact settlement and development patterns and will supply a diversity of opportunities for living, working and enjoying culture. The evolving regional economy of the zone will have matured into an economic powerhouse of global significance. It will function as Canada's principal international gateway. The Greater Toronto Area* will be a thriving, world-class metropolis with an extraordinary waterfront. And at the heart of this metropolis, and of the zone, is Toronto, a celebrated centre of influence for commerce, culture and innovation.

All of this will translate into a place where our residents enjoy a high standard of living and an exceptional quality of life that is world-renowned.

Central Ontario Smart Growth panel, December 2002

*For the purposes of this vision, the Greater Toronto Area includes Hamilton.

Central Ontario Smart Growth zone



Map is not to scale

DRAFT

Guiding principles for a Smart Growth strategy

The panel's Smart Growth vision is based on three principles:

1. Managing growth in a way that balances the goals of economic prosperity, environmental sustainability and social equity.
2. Leaving future generations an abundance of clean air, clean water and productive land.
3. Providing the means for all of our citizens to develop to the fullest extent of their capabilities.

These guiding principles are built upon the following values:

Sustainability: Our actions today will not limit the choices available to future generations. The decisions we make today will always have tomorrow in mind.

Diversity: We will strive to achieve biological diversity within natural systems, a wide range of economic enterprises and job opportunities in our communities and social diversity within neighbourhoods across the zone.

Conservation: We will strive for efficiencies that conserve the use of natural resources. Our cultural heritage assets will be respected and protected. We will respond to the needs of the natural world.

Providing choices: We will provide citizens with choices for where they live, where they work and how they move from place to place. These choices will be subject to a hierarchy of interests, which recognize that, in some instances, the greater public good must override local interests.

Equity: We will establish a framework within which the citizens of the zone will have equal access to employment opportunities, public services, health and social care and public decision-making.

Collaboration: We will reach our objectives through a process of open and collaborative decision-making.

Central Ontario Smart Growth panel, December 2002

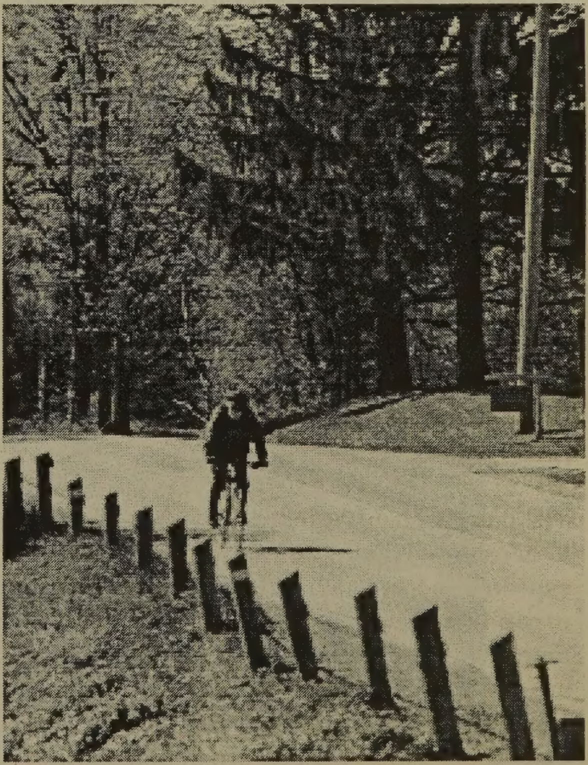
A comprehensive plan is needed

How will the vision — developed by the Smart Growth panel and shaped by comments and feedback from the public — be achieved? What is needed to relieve gridlock, reduce pollution, protect green space and create healthy and vibrant communities?

To help answer these questions, the panel recommends that the province's Smart Growth strategy provide direction in five key areas:

1. Reshaping where and how we live
2. Unlocking gridlock
3. Rethinking how we manage waste
4. Optimizing other infrastructure
5. Protecting our environment

What follows is a summary of the recommendations that the panel would like to present to the Ontario government. A document outlining the panel's detailed recommendations is available on the Smart Growth Web site, at www.smartgrowth.gov.on.ca. You can also receive a copy by mail (see contact information on page 17).



1. Reshaping where and how we live

Over the next 25 years, central Ontario is expected to grow by more than three million people. If we don't prepare for this growth, the result will be urban sprawl, more gridlock, smog and increasing costs to support spreading infrastructure. We need to encourage growth to happen in a way that allows for this population increase without placing stress on our infrastructure and environment.

A primary goal of a Smart Growth strategy should be to make the most efficient use of our existing infrastructure, public investment and resources.

The panel recommends a number of strategies that will achieve Smart Growth:

- Encourage a pattern of growth that reinforces and supports a variety of activities. Growth should happen within a dynamic network that includes a strong metropolis, with Toronto at its centre, outlying economic areas, urban centres and mixed-use nodes, all linked by a series of corridors. Growth directed toward this network would make the most efficient use of existing infrastructure and limit the impact of development on our farmland and natural features (see map on page 8 for an illustration of this network). We need to ensure that infrastructure is in place to support growth before development happens.

Within this network

- Attract and promote growth within existing settlement areas to ensure that people across central Ontario have the opportunity to live and work in their own communities. Compact development should be encouraged within these areas;

  The panel recognizes that it will be challenging to accommodate all the people and jobs, expected in central Ontario, within existing urban areas. Current policies that support Smart Growth, such as urban intensification, brownfield redevelopment and good transit, will help to maximize the amount of growth that occurs within existing urban boundaries.

  But, the panel feels that some growth can occur outside areas that are currently designated as urban, if the growth can be justified within the context of a provincial Smart Growth plan for central Ontario*. **(* The panel emphasizes that this is a complex point that requires further discussion and public input to develop a clearer direction.);**

- Promote and invest in affordable housing throughout central Ontario by creating more incentives to encourage new rental housing. The availability of affordable housing is essential for communities to attract workers;

- Preserve commercial and industrial employment lands designated by official plans, especially those lands located near major transportation corridors, or replace employment lands if they are redesignated to another use. Ensure a sufficient supply of employment lands for mixed uses and live-work needs; and

- Revitalize the waterfronts of communities throughout central Ontario. This is important for a healthy region, because the waterfront provides people with a desirable place to work, visit and play.

Glossary of terms

Balanced growth: Increases in population and employment that are distributed in such a way that municipalities have a mix of business and residential uses. This means that people can live near where they work.

Economic/inter-regional corridors: Transportation corridors that link regional economic areas and outlying urban centres to the metropolis and to markets and destinations outside central Ontario. They should not be developed along their length. They can include road, rail, air and marine routes.

Green infrastructure: These are natural features, such as lakes, valleys and woodlands, that perform an important function in sustaining quantities of clean water and air, in the same way that hard infrastructure, such as pipes and scrubbers, contributes to clean water and air.

Metropolis: The large contiguous and continuous urban area in and around Toronto, referred to as the Greater Toronto Area. The metropolis includes Hamilton. The panel recognizes the metropolis as having the greatest potential to accommodate the majority of the people and jobs expected to come to central Ontario over the next 30 years.

Natural-heritage system: A system of natural core areas and key natural corridors with significant ecological value. They collectively perform important ecological functions, such as providing habitat and improving air and water quality.

Nodes: Discrete areas within urban centres that have compact, mixed-use (i.e., residential, commercial and industrial) development and that are linked by transit.

Rapid transit: Also referred to as high-order transit, rapid transit includes heavy rail (subways), light rail (street cars) and buses that have their own dedicated lane or their own right-of-way. This creates a greater level and frequency of service.

Regional economic areas (REAs): Urban areas that are not contiguous to the metropolis. REAs serve relatively independent economic and urban areas. The Kitchener-Waterloo-Guelph area and the Niagara region are considered REAs. The metropolis is a very large REA.

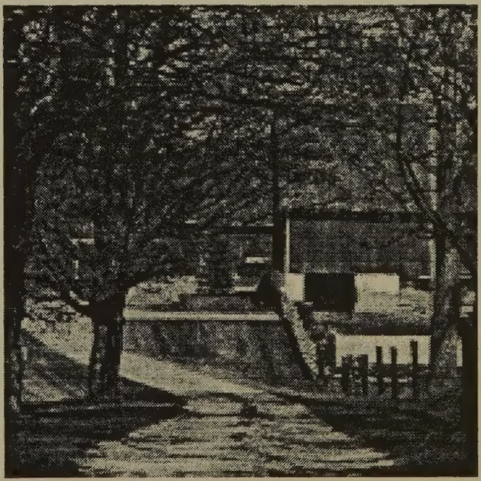
Resources: These include agricultural lands, natural-heritage features, forests, water resources and aggregates. The panel recognizes that resources have both ecological and economic value.

Rural areas: These are lands that are not settled or designated for urban use.

Urban centres: These are municipalities in central Ontario that have transit infrastructure, mixed-use and compact development and their own character and identity. These centres play important economic, social and financial roles for the people who live in and around them. Urban centres exist within and outside the metropolis.

Toronto is the largest urban centre of central Ontario. It is a centre of national and international economic significance. It is the hub for inter-regional transit around the zone and the gateway for international travel.

Urban corridors: Transportation corridors within urban centres or within the metropolis that link nodes to each other. They have compact development along their length. Yonge Street in Toronto is an example of an urban corridor.

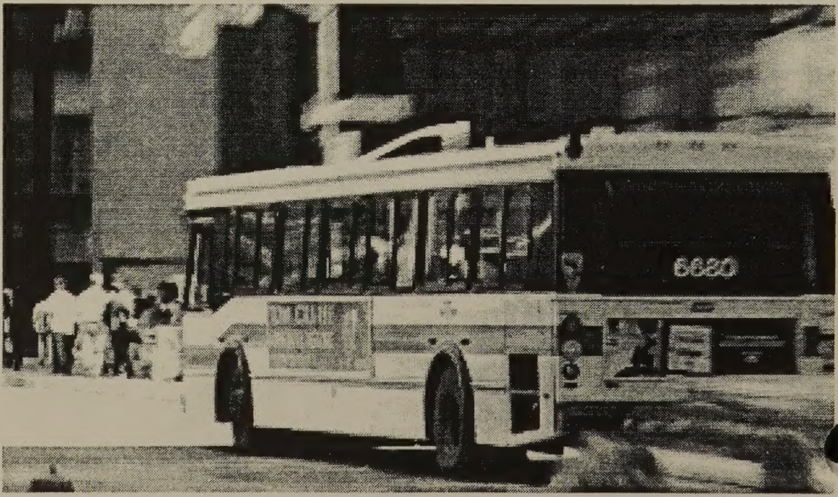


2. Unlocking gridlock

Gridlock has an enormous impact on our communities. Moving people around central Ontario is becoming increasingly difficult. "Rush hour" now lasts 13 hours. The smog produced by car emissions reduces air quality. Transit use is declining. And congestion will only get worse unless things change. Promoting healthy growth will require that governments, employers, developers and citizens change the way they think about transportation and about how we invest in it.

In August 2002, the panel gave Chris Hodgson, then-minister of Municipal Affairs and Housing, interim advice on dealing with gridlock. Building on that advice, the panel recommends that all levels of government and the private sector work toward the following, as part of a growth management strategy:

- Develop an integrated transportation system that links together all forms of transportation (see maps on pages 6 and 7 for the proposed transportation system). This would mean co-ordinating land-use and transportation planning so that
  - communities are built with better access to transit (compact development ensures that there are sufficient people to ride transit and it creates communities that are friendlier to pedestrians);
  - walking and cycling are encouraged; and
  - goods and people move efficiently.
- Make transit the first priority for all transportation investment in the urban centres, nodes, regional economic areas and corridors identified by the panel on the map (see pages 6 and 8). Sustainable sources of funding from all levels of government are required to maintain strong transit systems. All levels of government and the private sector are encouraged to collaborate and form partnerships to find innovative ways to fund transit over the long term.
- Invest in existing inter-regional and local transit to bring them up to a high level of quality and link systems for efficient commuting. Investment is also required for new transit initiatives to support growth along transportation corridors and to offer better transportation options between communities. In the short term, this would include support for the bus rapid transit system proposed by GO Transit.
- Invest in highways that facilitate international trade and contribute to economic success, ensuring that all trade corridors (road, rail, air and marine) are used for the movement of goods and do not encourage sprawl.
- Create a strategy for moving goods — one that identifies how to reduce the length of these trips, lessen their environmental impact and increase their efficiency.
- Improve the way traffic incidents, such as collisions, mechanical breakdowns and spills, are managed through greater co-operation among police, fire services, the Ministry of Transportation, tow-truck operators and others. Traffic incidents cause about 50 per cent of congestion on roads and highways.
- Implement a transportation-demand management system that incorporates numerous ways of reducing the need for as many cars on the road. This system can include such steps as employee programs and incentives to car pool and use transit, expanded commuter parking lots, discounted fares and high-occupancy vehicle lanes.



3. Rethinking how we manage waste

Despite progress in diverting waste from landfill sites through reducing, recycling and composting, people and businesses in central Ontario generate over 6.2 million tonnes of waste, on average, per year. As our population increases, and the economy grows, our waste grows as well. We need new solutions for waste disposal — and we need them fast.

In 2002, two major landfill sites used by the City of Toronto and the regions of Peel, York and Durham were closed. These communities now export their waste to the United States. But this is a short-term answer in need of a long-term solution.

Waste management is a complex problem with no single solution. The central panel emphasizes that better managing waste will require the collaboration of decision-makers across the zone. The panel proposes a range of options for the province, in collaboration with municipalities and the private sector, to improve waste management in central Ontario. These include the following directions:

- Implement a diverse portfolio of options to manage waste that include reduction at source, recycling, composting, landfill, deriving energy from waste, thermal treatment and new waste management technologies.

- Reduce our dependence on the export of municipal waste to the United States over the next 10 years. The panel also recognizes that we need to reduce our dependence on landfill.
- Improve access to private landfill sites to reduce our dependence on exporting waste. This is a short-term measure that will need to be implemented while the withdrawal from U.S. landfill sites takes place.
- Set targets for municipalities on the amount of waste that must be diverted from disposal sites through recycling and composting. These targets should be phased in over the next 30 years.
- Regulate the composting of organic (kitchen and yard) waste to eventually prohibit the disposal of organic matter in landfill sites. This type of matter accounts for 40 per cent of municipal waste. Reducing its quantity in household garbage would significantly reduce our dependence on landfill sites.
- Encourage municipalities to implement user-fee programs as incentives for households to reduce their production of waste.
- Encourage municipalities to collaborate on waste reduction, diversion and disposal efforts for residential, industrial, commercial and institutional waste.
- Assess industry standards for packaging to reduce waste at its source.
- Explore and invest in (where appropriate) new waste management technologies.

4. Optimizing other infrastructure

In addition to its transit, roads and waste management systems, central Ontario has other infrastructure that also contributes to its quality of life. Our water and wastewater systems, as well as our health-care, education and community amenities, such as parks, recreation, and cultural opportunities, make communities desirable places to live in and visit, and that, in turn, attracts more growth.

As growth happens, we need to make sure that we make the best use of this infrastructure. Doing so will allow us to accommodate growth in a way that minimizes the impact on our environment, while making the most efficient use of our public investments.

Building on its recommendations to reduce gridlock and manage waste, the panel proposes the following actions to improve our use of existing infrastructure:

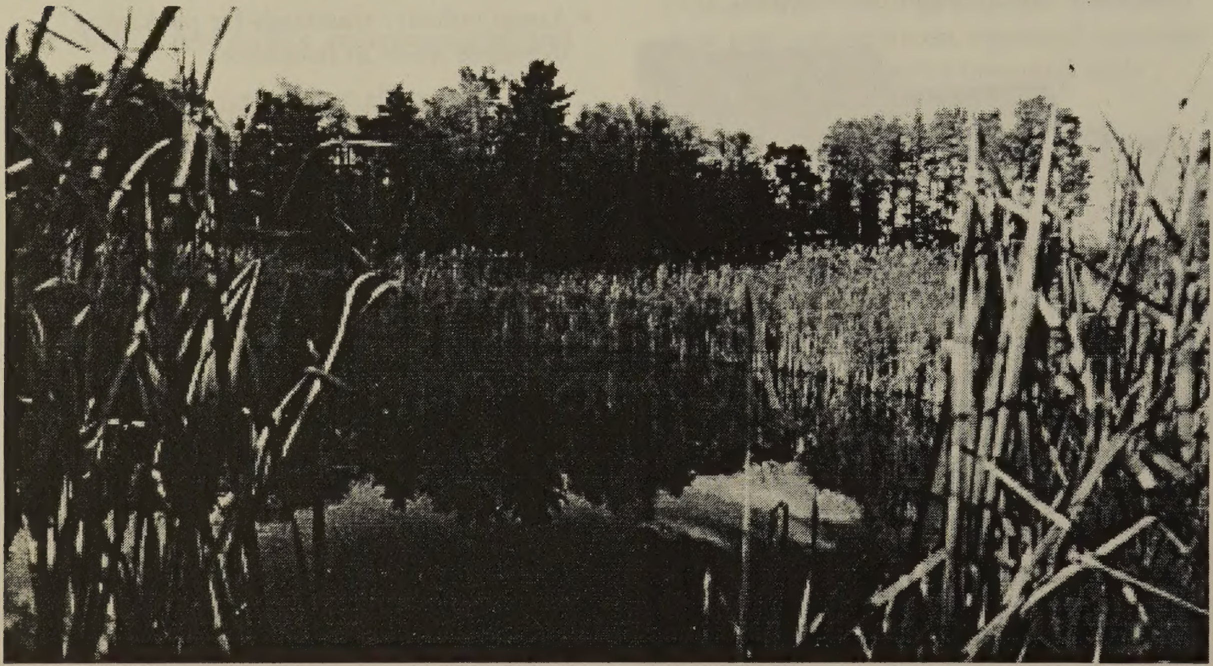
- Invest in our social infrastructure. Schools, health-care facilities and recreation and sports centres are all necessary components of a vital community.
- Invest more in existing post-secondary institutions to support knowledge-based activities and research and development.
- Invest in broadband infrastructure to promote and facilitate access to the Internet throughout central Ontario. New technologies are an economic boon to many communities and the appropriate infrastructure should be planned and implemented to accommodate new types of jobs and businesses.
- Invest in renewing and upgrading existing water and wastewater systems to ensure that they are well-maintained and respectful of the environment. Encourage and support the development and adoption of new technologies in this field. Water and wastewater systems are inter-related. The panel recommends that they be managed in an integrated way.
- Ensure investment in alternative energies. Key alternative energy sources, such as wind, solar power and fuel cells, should be identified and secured. Alternative energy sources will allow us to better meet the increased energy needs of our growing population and limit the use of energy sources that pollute our air.

5. Protecting our environment

The panel has a range of strategies for protecting our air, land and water. Without adequate green spaces, our quality of life would deteriorate and the very features that attract new growth and settlement would diminish. Well-managed growth protects natural habitats and agricultural land, and protecting our natural environment is a key component of Smart Growth.

The panel recommends that the province, in collaboration with municipalities and the private sector,

- Protect rural areas, that are not settled, primarily for sustainable resource use.
- Develop criteria to identify and map the zone's unique and irreplaceable resources.



DRAFT

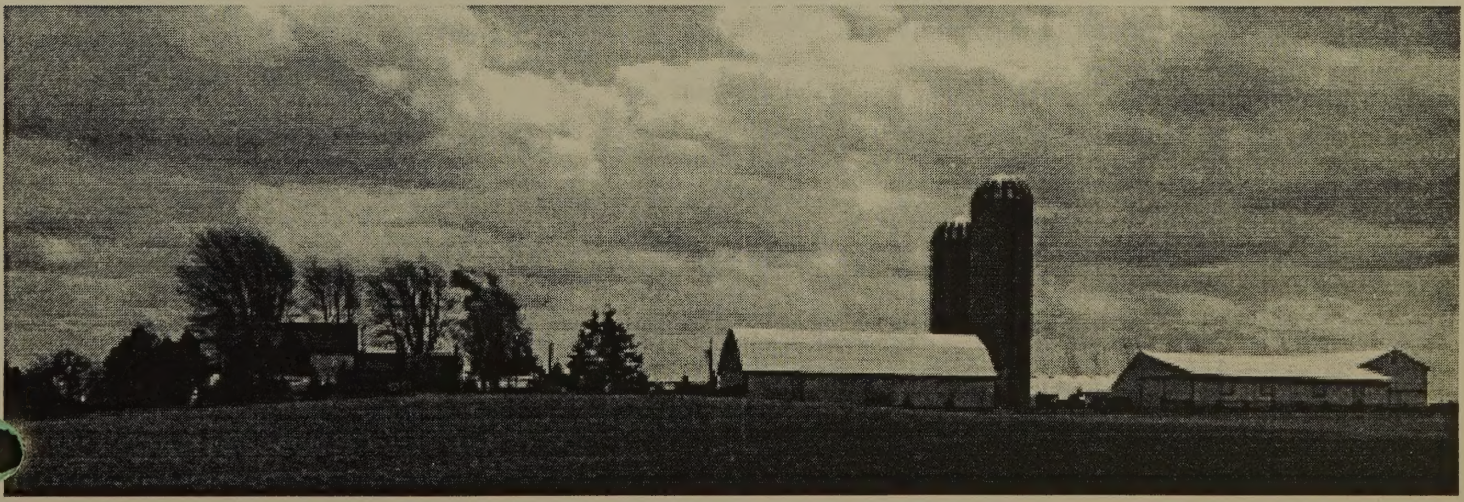
- Identify and protect unique and irreplaceable resources, such as agricultural lands, forests, water resources, mineral aggregates and natural-heritage features, and outline their appropriate uses. Various levels of protection are needed in different areas. Lands such as the Oak Ridges Moraine and Niagara Escarpment would get the highest level of protection.
- Identify a natural-heritage system of ecological core areas and corridors and guide growth in such a way that these areas are managed and protected (see map on page 5 for elements of a natural-heritage system).
- Steer growth away from key resources, natural-heritage areas and water sources by establishing a system to protect lands at different stages of development.
- Limit further settlement and severance of land in rural areas to minimize the impact of development in rural areas.
- Recognize and support the important role of "green infrastructure" in both rural and urban areas. Our network of rivers, streams, lakes, valleys, trees and greenspace contribute to a healthy environment. Greenspace and parks play a major role in providing recreation and improving air quality, water management and energy conservation.
- Protect clean-water resources through adequate source protection and watershed planning. A strong effort should be made to restore degraded lakes and rivers. Given that water and wastewater management are interrelated, we should follow an integrated approach that includes water conservation, source protection and storm-water source control.
- Provide for the optimum long-term availability and productive use of agricultural resources. Sustaining a viable, economically prosperous agriculture industry is a priority for central Ontario.
- Protect aggregate resources (such as sand, rock and clay) that are close to markets and make them available for use. This does not imply that aggregate use should automatically override the use of other resources. Aggregates play a vital role in our economy. They are used in a wide variety of everyday products such as toothpaste and paper products as well as in the concrete used for highways, roads, bridges and houses.

We want to hear from you!

The central panel needs your input. What do you think of the ideas and strategies outlined in this booklet? Have we left anything out? Do you have comments or suggestions?

Here are some questions for you to consider in commenting on the panel's advice. Send us your feedback by mail, fax or e-mail (see page 17). The success of a long-term Smart Growth strategy for central Ontario depends on your involvement.

1. What do you think of the panel's overall ideas and directions for a Smart Growth strategy? Is there anything you would change?



2. Is the future set out in **A vision for 2035,** on page 9, one that you would welcome? If not, what would you change?

3. Do you agree with the **values and principles** statement on page 10? If not, what would you change?

4. Give us your feedback on the recommendations for each of these key areas:

   Reshaping where and how we live

   Unlocking gridlock

   Rethinking how we manage waste

   Optimizing other infrastructure

   Protecting our environment

5. Do you have any other comments?

Learn more and share your views

In February and March 2003, the central panel members will hold consultations in five communities across central Ontario (visit the Smart Growth Web site for dates and locations).

The public is invited to the consultations to get more information and to speak directly with panel members. To comment on the advice itself, please submit written input through the Smart Growth Web site or by regular mail. The questions outlined above may help you focus your comments.

Here's how to reach us:

Central Ontario Smart Growth panel
c/o Smart Growth Secretariat
16th floor, 777 Bay Street
Toronto, Ontario M5G 2E5

Phone: toll free 1-866-479-9781
Fax: 416-585-7639
E-mail: smartgrowth@mah.gov.on.ca
Web site: www.smartgrowth.gov.on.ca

The deadline for submissions is March 21 at 5 p.m.

The central Ontario Smart Growth panel is collecting this information for the purpose of developing its advice to the government of Ontario for a long-term growth strategy. Any personal information you provide is collected in compliance with Section 38(2) of the Freedom of Information and Protection of Privacy Act. The panel may use this information to contact you regarding your comments. Please direct any questions about the collection of information to the executive lead of the Smart Growth Secretariat, by phone at (416) 585-7169 or by mail to the following address: Smart Growth Secretariat, 16th floor, 777 Bay Street, Toronto, Ontario M5G 2E5.

Municipalities in the central zone

Adjala-Tosorontio
Ajax
Algonquin Highlands
Alnwick / Haldimand
Amaranth
Asphodel-Norwood
Aurora
Barrie
Bradford West Gwillimbury
Brampton
Brant
Brantford
Brighton
Brock
Burlington
Caledon
Cambridge
Cavan-Millbrook-North Monaghan
Centre Wellington
Clarington
Clearview
Cobourg
Collingwood
Cramahe
Douro-Dummer
Dufferin
Durham
Dysart et al
East Garafraxa
East Gwillimbury
East Luther Grand Valley
Erin
Essa

Continued on page 18

Continued from page 17

Fort Erie
Galway-Cavendish-Harvey
Georgina
Grimsby
Guelph
Guelph-Eramosa
Haldimand
Haliburton
Halton
Halton Hills
Hamilton, City of
Hamilton, Township of
Havelock-Belmont-Methuen
Highlands East
Innisfil
Kawartha Lakes
King
Kitchener
Lincoln
Mapleton
Markham
Melancthon
Midland
Milton
Minden Hills
Minto
Mississauga
Mono
Mulmur
New Tecumseth
Niagara
Niagara Falls
Niagara-on-the-Lake
Newmarket
North Dumfries
North Kawartha
Northumberland
Oakville
Orangeville
Oro-Medonte
Orillia
Oshawa
Otonabee-South Monaghan
Peel
Pelham
Penetanguishene
Peterborough, City of
Peterborough, County of
Pickering
Port Colborne
Port Hope
Puslinch
Ramara
Richmond Hill
St. Catharines
Scugog
Severn
Shelburne
Simcoe
Smith-Ennismore-Lakefield
Springwater
Tay
Thorold
Tiny
Toronto
Trent Hills
Uxbridge
Vaughan
Wainfleet
Wasaga Beach
Waterloo, City of
Waterloo, Regional Municipality of
Welland
Wellesley
Wellington
Wellington North
West Lincoln
Whitby
Whitchurch-Stouffville
Wilmot
Woolwich
York

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SECTION 14

WARD 2 WITH CITY WIDE IMPLICATIONS

CITY OF HAMILTON

16.1

FINANCE AND CORPORATE SERVICES DEPARTMENT
Office of the City Clerk

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Councillor David L. Mitchell on behalf of Accommodations Study Sub-Committee
Date:	March 6, 2003	**Prepared by:**	Stella Glover - 546-3993

SUBJECT: **Accommodations Study Sub-Committee Meeting Report 03-001 – March 6, 2003 (City Wide)**

RECOMMENDATION:

That the recommendations approved by the Accommodations Study Sub-Committee at its meeting of March 6, 2003 be adopted as follows:

Hamilton City Hall – Alternative Downtown Accommodations Status Report and Specialist Financial Advisors (PW03010/FCS03064) – (Ward 2 with City Wide Implications)

a) That the Solicitations of Proposals for Civic Accommodations for the City Hall accommodation project as set out in Appendix 1 to Report PW03010/FCS03064 be approved;

b) That staff issue the Request for Proposal (RFP) document attached as Appendix 2 to Report PW03010/FCS03064, for a Specialist Financial Advisor to provide specialist financial services during the selection of the proponent to construct the new City Hall;

c) That $50,000 plus taxes be allocated for the Specialist Financial Advisor work and that this cost be funded from the existing City Hall Accommodations Project. (Work in Progress project #3540141100); and,

d) That revenues from the lease or sale of City owned properties, as a result of staff being relocated by the City Hall Accommodation Project, be used to reduce the total costs for this project (not to include the sale of former Town Halls).

Councillor David L. Mitchell,
Chairman

SUBJECT: Accommodations Study Sub-Committee Meeting – March 6, 2003 (Ward 2 with City Wide Implications)

EXECUTIVE SUMMARY:

Refer to attached staff report PW03010/FCS03064

BACKGROUND:

At its meeting of March 6, 2003 the Accommodations Study Committee was in receipt of Hamilton City Hall – Alternative Downtown Accommodations Status Report and Specialist Financial Advisors (PW03010/FCS03064), and made the foregoing recommendations.

FOR THE FURTHER INFORMATION OF COMMITTEE:

Domenic Lunardo, Acting Director, Fleet Services made a presentation, the purpose of which was to provide the Accommodations Sub-Committee with a progress update of the City Hall RFP Plan on the status of the project. It was further intended to review Council direction and intent, provide a summary of the initial meeting with proponents, proceed with the proposed City Hall RFP Schedule and to retain a Specialist Financial Advisor.

Mr. Lunardo provided background and explained the Finance, Purchase and Communications aspects of the RFP Plan, the Technical Requirements, and a Schedule.

Rob Rossini, Director of Budgets and Fiscal Policy Services, explained the need for the Specialist Financial Advisor at a cost of $50,000. The terms of reference were also provided to the Sub-Committee. Mr. Rossini asked for direction with regard to the revenue generated from the former town hall buildings.

The Chairperson thanked Mr. Lunardo and Mr. Rossini for their presentations and Committee was given an opportunity to ask questions.

Debate ensued and the following was noted:

- The committee had previously agreed that no tax increase was to be incurred as a result of the project
- Flexibility is to be build into the RFP to include:
  - willingness to share space with a municipal or non-municipal body if the proponent includes that in the proposal;
  - term of lease;
  - Definition of Ceremonial Space i.e. wedding room, mediation space
- A number of current leases will be coming up for renewal in the near future

The suggestion was made that the decision be made before September 2003, or that it be deferred until the next Council is in office.

It was pointed out that the length of the process was in fact hindering the trust factor among proponents and that, an honorarium had been suggested by one proponent. However, it was agreed that some kind of validation be given to the project rather than an honorarium being given to the proponents.

In response to Mr. Rossini's request for direction with regard to the funding from the former town halls, the Committee approved the following:

(Ferguson/D'Amico)
That revenues from the lease or sale of City owned properties, as a result of staff being relocated by the City Hall Accommodation Project, be used to reduce the total costs for this project (not to include the sale of former Town Halls).

The Motion **CARRIED** on a **RECORDED VOTE** as follows:

Yeas:	McCarthy, Ferguson, D'Amico, Caplan, Mitchell, Dlianni
Total:	6
Nays:	
Total:	0

The staff recommendation, together with the addition of sub-section (e) was then approved as follows:

(Caplan/Dilanni)

a) That the verbal presentation provided by staff be received;

b) That the schedule for the City Hall accommodation project attached in Appendix 1 be approved;

c) That staff issue the Request for Proposal (RFP) document attached in Appendix 2 for a Specialist Financial Advisor to provide specialist financial services during the selection of the proponent to construct the new City Hall; and

d) That $50,000 plus taxes be allocated for the Specialist Financial Advisor work and that this cost be funded from the existing City Hall Accommodations Project. (Work in Progress project #3540141100).

e) That revenues from the lease or sale of City owned properties, as a result of staff being relocated by the City Hall Accommodation Project, be used to reduce the total costs for this project (not to include the sale of former Town Halls).

CARRIED

ANALYSIS OF ALTERNATIVES:

Refer to attached staff report PW03010/FCS03064

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Refer to attached staff report PW03010/FCS03064

POLICIES AFFECTING PROPOSAL:

Refer to attached staff report PW03010/FCS03064

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Refer to attached staff report PW03010/FCS03064

CITY STRATEGIC COMMITMENT:

Refer to attached staff report PW03010/FCS03064

Cc: Joseph L. Rinaldo, General Manager, Corporate Services
Scott Stewart, Acting General Manager, Public Works
Bill Fenwick, Acting General Manager, Community Services
Roberto Rossini, Director of Budgets and Fiscal Policy Services, Corporate Services
Domenic Lunardo, Director, Design & Construction, Community Services

Attach (1)

WARD 2 WITH
CITY WIDE
IMPLICATIONS

CITY OF HAMILTON

PUBLIC WORKS DEPARTMENT
City Hall Accommodations Project
:
CORPORATE SERVICES DEPARTMENT
Budgets & Fiscal Policy Division

Report to:	Chair and Members Accommodations Subcommittee	**Submitted by:**	Scott Stewart Acting General Manager Joseph L. Rinaldo General Manager
Date:	March 5, 2003	**Prepared by:**	Domenic Lunardo Extension 3982 Rob Rossini Extension 4523

SUBJECT **Hamilton City Hall - Alternative Downtown Accommodations Status Report and Specialist Financial Advisors (PW03010/FCS03064) - (Ward 2 with City Wide Implications)**

FOR INFORMATION ONLY

RECOMMENDATION:

(a) That the verbal presentation provided by staff be received;

(b) That the schedule for the City Hall accommodation project attached in Appendix 1 be approved;

(c) That staff issue the Request for Proposal (RFP) document attached in Appendix 2 for a Specialist Financial Advisor to provide specialist financial services during the selection of the proponent to construct the new City Hall; and

(d) That $50,000 plus taxes be allocated for the Specialist Financial Advisor work and that this cost be funded from the existing City Hall Accommodations Project. (Work in Progress project #3540141100).

Scott

Scott Stewart, Acting General Manager
Public Works

Joseph Rinaldo

Joseph L. Rinaldo, General Manager
Corporate Services

EXECUTIVE SUMMARY:

The City is about to issue a Request For Proposal (RFP) to construct a consolidated City Hall facility that will accommodate about 1,200 employees in downtown Hamilton.

The RFP that will be submitted to a short-list of qualified developer proponents is being prepared. Appendix 1 provides the proposed schedule to determine the approved developer and to make a decision with respect to City Hall. Staff is requesting that the proposed schedule be approved by Council.

To assist with the selection of the most appropriate proponent for this project, staff recommends the City engage a Specialist Financial Advisor. The Specialist Financial Advisor would assist in developing a strategy to involve the private sector in the realization of the consolidated office accommodation project. This strategy will be incorporated into the RFP document that will be submitted to the private developer proponents. The scope of services of the Specialist Financial Advisor has been organized into two distinct phases:

Phase I – RFP Preparation Assistance
Phase II – Proposal Evaluation

The Terms of Reference for the Specialist Financial Advisor is attached in Appendix 2. Staff has identified a budget of $50,000 for this work.

BACKGROUND:

This report has City-wide implications and specifically Ward 2.

The aging of the existing City Hall building, together with the upcoming lease renewals at significantly higher lease rates, has required the City to formulate a long-term strategy with respect to the future City Hall. The City requires approximately 400,000 square feet of office space in downtown Hamilton to provide suitable consolidated accommodations for approximately 1,200 employees, including provisions for the Council chamber and other facilities and amenities associated with a municipal City Hall.

In November 2002, Council authorized staff to proceed with the preparation and submission of a RFP to seven short-listed, private developer proponents to construct a consolidated City Hall to accommodate approximately 1,200 City employees. Council's direction was to proceed with the RFP provided that preference be given to RFP's that provide for no, or minimal, net increases on taxes which can be offset by related savings.

Staff met with the short-listed proponents on January 31, 2003 to present the Council direction, to discuss the information to be included in the RFP, and to obtain feedback on the proposed schedule. There was a general consensus amongst the proponents that the decision with respect to City Hall should be made by the current Council.

The proponents expressed concern about the integrity of the process if the decision would be delayed until the new Council was in place. To respond to this concern expressed by the proponents, staff created a schedule that would allow a decision with respect to City Hall to be made by the current Council. The anticipated schedule is summarized as follows:

• Council approval of RFP	May 14, 2003
• Issue RFP	May 15, 2003

• Close RFP	July 24, 2003
• Accommodation Subcommittee	September 22, 2003
• Committee of the Whole	September 30, 2003
• Council Approval of proponent	October 15, 2003

The proposed schedule is provided in Appendix 1.

The financial component of the developer's responses to this project RFP is anticipated to be significant. Council has given direction to staff that the preferred development should provide for zero or minimal net increases on taxes when compared to current and anticipated annual accommodation costs. To assist the Project Team select the most appropriate developer with the most efficient and cost effective facility solution, and because of the magnitude of the City's commitment, staff recommends that a Specialist Financial Advisor be retained to audit the process. The Specialist Financial Advisor will assist in developing a strategy to involve the private sector in the realization of Council's direction to provide a consolidated office solution at minimal tax impacts.

The Terms of Reference for the Specialist Financial Advisor is provided in Appendix 2. In summary, the work is broken down into the following components:

Phase I - RFP Preparation Assistance

- Reviewing and validating the alternate delivery options explored by the City and incorporating public-private partnership (P3) concepts
- Structuring and participating in proponent communications
- Recommending an RFP procurement strategy for P3 services
- Participating in the development of the RFP financial components
- Participating in the development of the RFP evaluation criteria

Phase II - Proposal Evaluation

- Assist the City evaluation team by evaluating proponent financial submissions, in particular P3 proposal submissions
- Supporting the team during the negotiation and contract implementation
- Assist and participate in the City's due diligence review of all financial proposals including but not limited to leasing arrangements, project financing and P3 submissions.

The evaluation criteria to select the Specialist Financial Advisor will be based on the proponent experience, methodology, availability, and cost. Staff have identified a total budget of $50,000 for this work and have identified this amount in the Terms of Reference document provided in Appendix 2.

ANALYSIS OF ALTERNATIVES:

N/A

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial Implications:

Table1, is a summary of the current budget versus proposed budget for the City Hall Accommodations Project.

TABLE 1: SUMMARY OF BUDGET COSTS - City Hall Accommodations Project
(Work in Progress project #3540141100)

Item	Original 2002 Budget	City Hall Forecourt 2002	City Hall Forecourt 2003	Current Revised Budget	Financial Specialist RFP	Proposed Revised Budget	Projected Actual to Complete
Initial Design and Consulting Fees * 1 (City Hall Accommodations Project)	$ 2,005	$ (69)	$ 32	$ 1,968	$ (52)	$ 1,916	$ 514
Financial Specialist (City Hall Accommodations Project)	$ -			$ -	$ 52	$ 52	$ 52
Emergency Operations Centre (Facilities)	$ 270			$ 270		$ 270	$ 270
ITS Relocation Project *2 (Facilities)	$ 1,100			$ 1,100		$ 1,100	$ 1,635
Furniture Allocation (Facilities)	$ 500			$ 500		$ 500	$ 500
Total	$ 3,875	$ (69)	$ 32	$ 3,838	$ -	$ 3,838	$ 2,971

Note

1. *Initial design and consulting fee established based on original project to renovate the existing City Hall, however Council directed staff to proceed with Request for Proposal instead. Final cost will be presented in September 2003.*

   $69,000 was approved to be transferred to the City Hall Forecourt Landscape Project however, $32,000 was surplus and returned to the original City Hall Accommodations Budget.

2. *Facilities staff will be bringing forward a status report on project cost to a future meeting in later March 2003.*

Staffing Implications:

N/A

Legal Implications:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

The following departments and agencies were consulted in the preparation of this report:

- City Hall Accommodations Project Team
- Budgets and Fiscal Policy Division

CITY STRATEGIC COMMITMENT:

The analysis presented in this report is consistent with the objectives of Vision 2020 and the approved document entitled "Putting People First: A New Land Use Plan for Downtown Hamilton." This report is consistent with the following specific Vision 2020 goals.

- Local Economy: To promote Hamilton's environment as a desirable place to live and work;

- Land Use in the Urban Area: To redevelop Hamilton's central core as the regional centre;
- Community Well Being and Capacity Building: To develop cultural institutions, public facilities, and parks and open spaces which inspire community pride and a sense of place.

Appendices:

Project Schedule - Solicitation of Proposals for Civic Accommodation
Terms of Reference - Specialist Financial Advisor

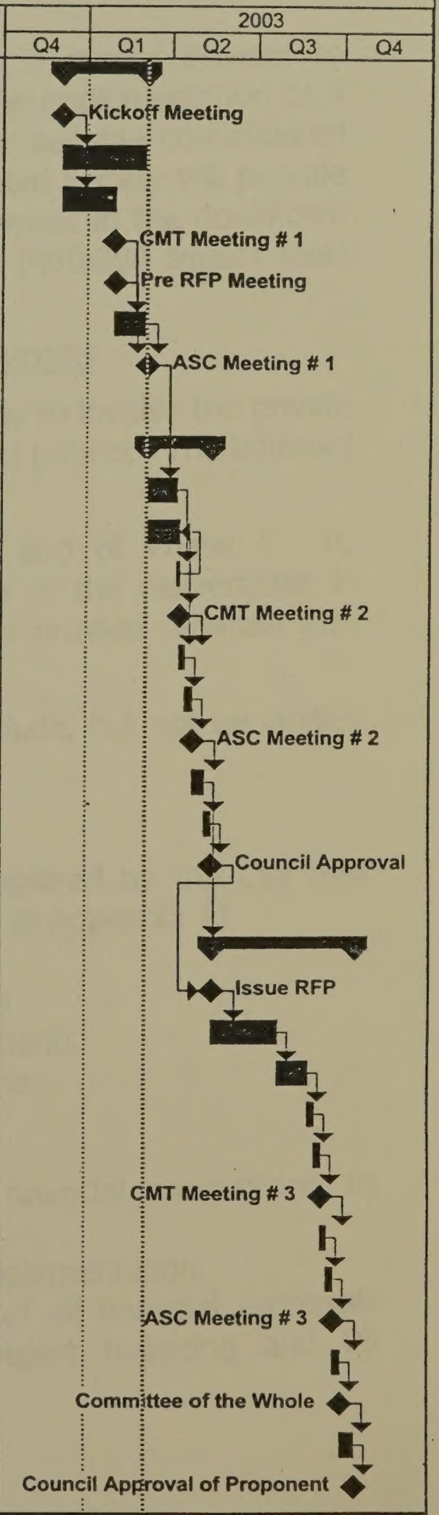
Appendix 1

HAMILTON CITY HALL
CIVIC ACCOMMODATIONS

SOLICITATION OF PROPOSALS FOR CIVIC ACCOMMODATIONS

81052-3297 (05)
March 5, 2003

ID	Task Name	Dur	Start	Finish
1	**RFP Planning**	**57d**	**Dec 5 '02**	**Mar 6 '03**
2	Kickoff Meeting	0d	Dec 5 '02	Dec 5 '02
3	Finalize Performance Requirements	57d	Dec 5 '02	Mar 6 '03
4	Preliminary RFP Plan	33d	Dec 5 '02	Jan 30 '03
5	CMT Meeting # 1	0d	Jan 30 '03	Jan 30 '03
6	Pre RFP Meeting	0d	Jan 31 '03	Jan 31 '03
7	Final RFP Plan	25d	Jan 30 '03	Mar 6 '03
8	ASC Meeting # 1	0d	Mar 6 '03	Mar 6 '03
9				
10	**RFP Preparation**	**48d**	**Mar 7 '03**	**May 14 '03**
11	Prepare Initial RFP Draft	22d	Mar 7 '03	Apr 7 '03
12	CMT Approval of Accommodation Plan	25d	Mar 7 '03	Apr 10 '03
13	CMT Review	3d	Apr 8 '03	Apr 10 '03
14	CMT Meeting # 2	0d	Apr 10 '03	Apr 10 '03
15	RFP Revisions	4d	Apr 11 '03	Apr 16 '03
16	ASC Review of RFP	5d	Apr 17 '03	Apr 24 '03
17	ASC Meeting # 2	0d	Apr 24 '03	Apr 24 '03
18	RFP Revisions	9d	Apr 25 '03	May 7 '03
19	Council Review	5d	May 8 '03	May 14 '03
20	Council Approval of RFP	0d	May 14 '03	May 14 '03
21				
22	**RFP Submissions and Evaluation**	**105d**	**May 15 '03**	**Oct 15 '03**
23	Issue RFP	0d	May 15 '03	May 15 '03
24	RFP Submission Period	48d	May 16 '03	Jul 24 '03
25	RFP Evaluation	22d	Jul 25 '03	Aug 26 '03
26	Prepare Evaluation Report Summary	4d	Aug 27 '03	Sep 2 '03
27	CMT Review	5d	Sep 3 '03	Sep 9 '03
28	CMT Meeting # 3	0d	Sep 9 '03	Sep 9 '03
29	RFP Evaluation Report Revisions	4d	Sep 10 '03	Sep 15 '03
30	ASC Review	5d	Sep 16 '03	Sep 22 '03
31	ASC Meeting # 3	0d	Sep 22 '03	Sep 22 '03
32	Committee of the Whole Review of Proponent	6d	Sep 23 '03	Sep 30 '03
33	Committee of the Whole	0d	Sep 30 '03	Sep 30 '03
34	Council Review of Proponent	11d	Oct 1 '03	Oct 15 '03
35	Council Approval of Proponent	0d	Oct 15 '03	Oct 15 '03



Terms of Reference

Specialist Financial Advisor

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1. BACKGROUND

The City of Hamilton is seeking the services of a Specialist Financial Advisor to investigate the feasibility and a variety of delivery options for the implementation of a space consolidation project. The proposed project will provide suitable consolidated office accommodation for City staff and services. The Consolidated Facility will provide accommodation for approximately 1,200 City of Hamilton employees in the downtown area. The facility will be approximately 37,000 square metres (400,000 square feet) with supporting parking and exterior ceremonial space.

2. SCOPE OF SPECIALIST FINANCIAL ADVISORY SERVICES

The Specialist Financial Advisor will assist in developing a strategy to involve the private sector in the realization of the consolidated office accommodation project. The advisory services mandate has been organized into two distinct phases.

The City reserves the right to cancel the mandate at the end of Phase I. It, furthermore, reserves the right to contract for only a portion of the deliverables in Phase I and/or Phase II. As such the proponent is advised to provide separate firm fixed prices for each individual task included in each phase.

The successful proponent shall provide advisory services to include, but not be limited to the following:

Phase I – RFP Preparation Assistance

- Reviewing and validating the alternate delivery options explored by the City and incorporating public-private partnerships (P3) concept (refer to Appendix 1)
- Structuring and participating in proponent communications
- Recommending an RFP procurement strategy for P3 services
- Participating in the development of the RFP financial components
- Participating in the development of the RFP evaluation criteria

Phase II – Proposal Evaluation

- Assist the City evaluation team by evaluating proponent financial submissions, in particular P3 proposal submissions
- Supporting the team during the negotiation and contract implementation
- Assist and participate in the City's due diligence review of all financial proposals including but not limited to leasing arrangements, project financing and P3 submissions.

3. COMMUNICATION

All inquiries related to this project should be directed to:

(insert name)

4. SCHEDULE

The following project schedule is currently contemplated:

a)	Release of RFP	May, 2003
b)	Proposal Submissions	September, 2003
c)	Evaluation of Proposals	September – December, 2003
d)	Award of Contract	February, 2004

The City reserves the right to alter the dates.

The City expects to retain the Specialist Financial Advisor in March, 2003.

5. SELECTION CRITERIA

Specialist Financial Advisors must have demonstrated experience in providing advisory services in multi-million dollar public/private partnerships. Proposals, which do not demonstrate this level of experience, will not be considered. Proposals meeting the above criteria will be evaluated on the basis of the following:

- Experience in the evaluation of alternate P3 service delivery options, especially for real estate accommodation projects
- Experience in taking into consideration the full life-cycle planning in the development of the business case
- Experience in overseeing and/or managing successful public/private partnerships
- Experience in RFP preparation, proposal evaluation and contract negotiations
- Availability and commitment of the advisor during the required time frames
- Intimate knowledge of the service provider/developer market
- Proposed methodology and approach
- Competitive fees.

Preference will be given to the Specialist Financial Advisor proponent who can realize the mandate through a single point of contact. The proposal that offers the City the best value in terms of service and cost will be recommend for contract award, provided that the total cost does not exceed the funds available for this requirement ($50,000). The lowest proposal will not necessarily be selected. The City reserves the right to make no award, or to award only a portion of the work included in the proposal.

6. RECEIVING OF PROPOSALS

Four (4) copies of the proposal clearly marked "Specialist Financial Advisor, Hamilton City Hall Accommodation Project" will be received by:

Purchasing to identify name

7. PROPOSALS

Proposals shall include name, address and telephone number of the proponent and the following information, proposals shall be limited to six pages, plus appendices for resumes and project summaries.

- **Description of Firm**
  A brief description and corporate profile of the firm and highlights of the services provided.

- **Curriculum Vitae/Expertise**
  An outline of the qualifications and experience of the Specialist Financial Advisor and any other named support staff. Identify previous experience and specific roles with public/private partnerships.
- **Project Experience**
  Brief documentation of similar experience with public/private partnerships, relevance of other projects and the roles and responsibilities of the advisor on those projects. Appropriate references should be provided.
- **Project Approach**
  A brief description of the approach that will be used on this project, including the project schedule and deliverables. The description should identify the number of meetings held with the City of Hamilton and include a commitment that the Specialist Financial Advisor will be present at all meetings.
- **Costs**
  A detailed cost for each phase, see section 10 below for specifics.

8. CLIENT and CONSULTANT AGREEMENT

The successful Advisor will sign an Agreement to be approved by the City. The City shall have the right at any time to cancel the Agreement in whole or in part, without further payment except for those services completed prior to said cancellation. The successful advisor is required to provide services to the City in strict confidence and must identify any potential conflicts, methods to address conflicts, and confirm confidentiality.

9. NOTIFICATION OF RESULTS

After the completion of the evaluation and commissioning of the successful proponent, all proponents will be advised in writing of the results of the proposal call.

10. SPECIALIST FINANCIAL ADVISOR'S FEE

The Specialist Financial Advisor's proposal should include a lump sum quotation in Canadian dollars clearly indicating the total fees and expenses (including travel expenses) required by the advisor for the two phases of services to be provided. Applicable taxes shall be shown separately. The quotation shall list the per diem rate for each named personnel in the event that additional services beyond the scope of work defined herein is requested. The per diem rate is to include travel expenses. The lump quotation shall list the number of hours/days expected for the completion of each deliverable of the project. The list shall be broken down by employee if more than one staff personnel is anticipated.

11. CONFLICT OF INTEREST

The proponent shall confirm in their response that they do not have any conflict of interest (actual or potential) in submitting its proposal or, if selected, with the contractual obligations of the proponent. Where applicable, a proponent must declare in its proposal any situation that may be a conflict of interest in submitting its proposal or, if selected, with the contractual obligations.

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2003

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Hamilton, ON L8K 3K1
2 copies

MUNICIPAL DOCUMENT

City of Hamilton

AGENDA

COMMITTEE OF THE WHOLE 03-008

Tuesday, March 25, 2003

9:30 a.m.

Council Chamber
Hamilton City Hall
71 Main Street West
Hamilton, Ontario

Kevin C. Christenson
City Clerk

Please note: All cellular telephones and pagers to be switched to a non-audible function during Council and Committee meetings.

Agenda available on-line at www.hamilton.ca
(click on "City Government")

1. DECLARATIONS OF INTEREST

2. ADOPTION OF MINUTES

2.1 March 18, 2003 (to be distributed)

3. DELEGATION REQUESTS

3.1 Request to address the Hearings Sub-Committee by Ms. Jay Sengupta, Hamilton Mountain Legal & Community services respecting concerns surrounding the administration of social housing

4. CONSENT ITEMS

None

5. PRESENTATIONS

None

DISCUSSION ITEMS

6. CITY MANAGER

None

7. CORPORATE SERVICES

7.1 Property Assessment and Classification Review - Beaubien Report (FCS03065) (City Wide)

7.2 Report of the GTA Task Force on OMB Reform (City Wide)

7.3 PeopleSoft Enterprise Portal & PeopleSoft Maintenance Agreement (City Wide) (FCS03062)

8. ECONOMIC DEVELOPMENT

None

9. EMERGENCY SERVICES

None

10. HUMAN RESOURCES

None

11. PLANNING AND DEVELOPMENT

None

12. PUBLIC HEALTH AND COMMUNITY SERVICES

12.1 Comprehensive Food Premises, Food Safety Report SPH02003 (c)

13. PUBLIC WORKS

13.1 Lease - 120 King Street West Hamilton Suites #900, 1165 & 1170 (Standard Life) (PW03011) (Ward 2)

14. JOINT DEPARTMENTAL REPORTS

None

15. REPORTS BY SUB-COMMITTEES

15.1 Accommodations Study Sub-Committee (to be distributed)

16. REPORTS BY THE VOLUNTEER CO-ORDINATING COMMITTEES

None

17. ITEMS REFERRED BY CITY COUNCIL

None

18. MOTIONS

None

19. NOTICES OF MOTIONS

None

20. GENERAL INFORMATION

None

21. PRIVATE AND CONFIDENTIAL

21.1 Directorships (City Wide) (LS03009)

22. ADJOURNMENT

OUTSTANDING BUSINESS

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
A.	Report on Colliers Recommendations – HECFI Facilities	March 28/01	Community Services		2002 - Q1
B.	Demolition of 226 Avondale Street	April 25/01	N/A		TABLED by Ward Councillor
C.	Toll for Red Hill Creek Expressway	Nov 21/01	TOE/Finance	Staff to bring a report back on option for tolling Red Hill Creek Expressway	Awaiting Provincial Regulations
D.	Council Communication - Residential Care Facilities	Jan. 23/02	Social and Public Health Services	Referred to staff for comments	
E.	Strategy to attract Factory Outlet stores	Feb. 13/02/further updated on August 6/02	Economic Development	Staff to bring implementation plan to Committee	
F.	Strategy for prioritizing abandoned industrial and commercial warehouse structures	Feb. 13/02 Aug. 13/02 follow-up request made	CMT	Staff to bring implementation plan to Committee	
G.	Remuneration and Expenses	March 5/02	Finance and Corporate Services	Staff to report back in future reports highlighting offsetting revenues which create a net expenditure, consultation with Councillors, indication of expenses authorized as Council expenses	March 2003

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
H.	Pest Control	May 7/02	Planning and Development	Staff to report back on control of pests/rodents prior to demolition permit issued	
I.	Hannon Post Office	May 7/02	Corporate Secretariat	Staff to report back on possibility of address changes that align with telephone exchanges	
J.	Correspondence from Hamilton District Labour Council/HUC Corporation Position Paper	Apr. 30/02	F&CS and HUC	Staff to bring report back	
K.	Options for returning profits - Hydro	June 10/02	Finance and Corporate Services	Staff to report back with options for returning profits	
L.	Capital Program to modify mountable curb driveway approaches	July 2/02	TOE	Three sections tabled pending public consultation	
M.	Uncovered crossovers on highways	August 6/02	Risk Management and Legal	Staff to bring report back on uncovered crossovers on highways	
N.	Delivery of ambulance services, response times, standards, dispatch	August 6/02	Chief Peace	Staff to bring report back on status of delivery	
O.	Floating Casino - West Harbour	August 13/02	Legal Services	Staff to report back on feasibility of securing a casino license for floating casino	Nov./02

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
P.	Downtown cleanliness	August 13/02	TOE	Staff to report back on how much it cost to keep the downtown clean prior and during FCM	
Q.	Correspondence from Mr. Reginald Beaudry respecting Tree Species List	Council Communication of September 11, 2002	Community Services	Staff to report back to Committee of the Whole as part of the Forestry Management Plan exercise	
R.	Hamilton Future Fund	Sept. 10/02	Finance and Corporate Services	Staff to provide monthly reports to Council and Trustee Panel on the approved projects to assist in monitoring	Ongoing
S.	Services Review - City Maintenance Operations	Sept/10/02	City Manager	City Manager to provide ongoing and final reports to Council on behalf of the Services Review Committee	Ongoing
T.	Hamilton's Wastewater System	Sept. 17/02	TOE	Staff to investigate possible partnership re: dredging of the Windemere basin, Updates	
U.	Subsection g) HMRF/HWRF Pension Administration Sub-Committee Report	Sept. 24/02	COW	Tabled pending delegation from Hamilton Police Association appearing at HSC	
V.	By-law to regulate postering of signs on public property	Sept. 17/02	TOE & FCS	Staff to prepare by-law to regulate	
W.					

SECTION 2

SECTION 3

HAMILTON MOUNTAIN
LEGAL & COMMUNITY SERVICES

HUGH A. TYE, B.A., LL.B.
LAWYER/DIRECTOR

JAY SENGUPTA, B.A., LL.B.
STAFF LAWYER

DOREEN MCPARTLIN, LL.B., DIPL.P.(U.K.)
COMMUNITY LEGAL WORKER

FENWORTH PLACE
550 FENNELL AVE. EAST
HAMILTON, ONTARIO L8V 4S9
VOICE/TTY 905 575-9590
FAX 905 574-8233
EMAIL: hamrccp@lao.on.ca

By Fax: 905-546-2095

3.1

March 11, 2003

Office of the City Clerk
Hamilton City Hall
71 Main Street West
Hamilton, Ontario

Attention: Mary Gallagher

Dear Ms. Gallagher:

Request for Deputation Status

I am writing to request time for a short presentation at an upcoming meeting of City Council's Hearings Committee, preferably the one to be held on April 23, 2003.

I would be making a deputation to the Committee on behalf of the three community legal clinics in Hamilton. The clinics are funded by Legal Aid Ontario and administered by volunteer Boards of Directors who are members of our communities. We provide legal advice and representation to people of low income in our communities, provide public legal education services and undertake law reform initiatives in areas that have an impact on our clients. We practice in a variety of areas of law including landlord and tenant, social assistance, workers' compensation and income maintenance.

The clinics would like to appear before the committee to highlight our concerns about issues surrounding the administration of social housing now that the downloading process is well under way. We represent social housing tenants and applicants for social housing who will be directly affected by policies being formed by the City in the coming months. We believe Council deserves to hear their concerns.

I understand that a request for deputation status must be approved by the committee and am, therefore, requesting that you forward my letter at your earliest convenience to the members for approval. Please advise me when the process is complete. I look forward to hearing from you shortly.

Yours truly,

JSengupta

Jay Sengupta
Staff Lawyer

SECTION 4

SECTION 5

SECTION 6

SECTION 7

CITY WIDE IMPLICATIONS

CITY OF HAMILTON

7.1

CORPORATE SERVICES
Revenues Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Joseph L. Rinaldo, General Manager
Date:	February 28, 2003	**Prepared by:**	Frank Carrocci 546.2058

SUBJECT: **Property Assessment and Classification Review – Beaubien Report (FCS03065) - (City Wide)**

RECOMMENDATION:

a) That report FCS03065 be received by Council, and

b) That a copy of report FCS03065 be forwarded to the Ministry of Finance together with a covering letter from the Mayor explaining the City's concern over the financial implications of recommendations that would impact negatively on the City of Hamilton, and

c) That the Council of the City of Hamilton strongly objects to the following recommendations made in the Beaubien Report:

1. elimination of the Multi-Residential tax class,
2. limiting the rate available in setting optional tax classes, and
3. introducing mandatory graduated tax rates.

Joseph Rinaldo

Joseph L. Rinaldo, General Manager
Corporate Services

EXECUTIVE SUMMARY:

The report of the Beaubien Commission on Property Assessment and Classification was released with a request for feedback (with no time-line attached). If the province is to take any action in regards to the recommendations contained within the report it is possible that it will do so within the scope of the 2003 Ontario Budget, and therefore it would be preferable to submit any objections the city may have as early as possible.

The following report contains comments regarding a number of the recommendations within the Beaubien report, which could have significant impact to the City of Hamilton tax base, and is not meant to be an exhaustive review of all recommendations contained therein.

BACKGROUND:

In December of 2000, the Minister of Finance commissioned a review of the property assessment process. The mandate for this project included a review of:

- The operational structure of the Ontario Property Assessment Corporation (now MPAC);
- The relationship between MPAC and the provincial government; and
- The regulation defining property classifications (Ontario Regulation 282/98)

Following a three-month review a report was produced, however it was determined that a second review was necessary, and in July of 2001 the mandate was expanded to include:

- The number, scope and definition of the property classes and sub-classes;
- The assessment methodology applied to unique properties; and
- The linkages between assessment classifications and related public policy objectives of the Government of Ontario.

The second report from Marcel Beaubien, MPP Lambton-Kent, Middlesex, was released by the Province in the fall of 2002.

ANALYSIS OF ALTERNATIVES:

In summary, our observations from the Beaubien property assessment and classification review are that:

- the report is driven by provincial affordable housing policy rather than fairness in taxation, and
- the squeaky wheel syndrome prevailed - only those issues that were raised were addressed, rather than an exhaustive review of assessment and taxation fairness. Recommendations were made for some industries because they raised an issue, and other similar industries were left out because they failed to appear, and
- the Multi-Residential issue is made on appearance rather than fact. There was a failure to do a full impact analysis nor to determine if the differential tax rate levels in fact led to unfair taxation.

Attached as Appendix A is a detailed list of all recommendations contained within the report as well as an indicator of whether staff agree or disagree with the recommendation. Staff have made specific reference below where further clarification was warranted.

#4 Access to Information:

While staff agrees with Mr. Beaubien's recommendation in regards to improving communication and dissemination of information to the public, we would add that additional emphasis should be placed on providing municipalities with information they need to complete meaningful analysis in regards to reassessment information prior to the release of notices to property owners. The last reassessment resulted in a myriad of public complaints and queries regarding their new assessments, and municipalities were not provided with information in a timely fashion with which to prepare themselves.

#6 Advisory Committees:

This recommendation to have the joint Ministry of Finance / MPAC Joint Committee serve as an ongoing venue in which stakeholder groups can make their views known should be expanded to include a provision that would see Municipal representation on the Committee. Municipal associations such as AMO and MFOA would be a valuable resource for the committee as well as method of communicating proposed initiatives to Municipalities.

#8 Appeals (upper tier):

This is not an issue for Hamilton as it is a single-tier municipality. The recommendation to not provide upper tier municipalities with assessment appeal powers is made with the objective of not encouraging unnecessary duplication. There is no recognition that in most situations the upper tier has more tax revenue at stake in not filing an appeal, and that it is probable that a lower tier municipality may in certain situations make a business decision not to lodge appeals or protect assessments on the basis of the relative costs involved. Upper tiers should probably be given the ability to require the lower tier to lodge an appeal in these situations, provided they bear the cost of the appeal.

# 17b Farmlands – Assessment Methodology:

The value of farmlands in an urban shadow, is recommended to be based on land values within a specified distance away from the urban area. Staff understand that this is already incorporated in the methodology used by MPAC to determine farm values in Southern Ontario, however, this practice does not correspond with the CVA concept of assessing properties based on their market value.

# 17g Farmlands – Tax Rates :

Municipalities have been given the ability to reduce the ratio of farm tax rates below the previously prescribed level of 25%. This action provides the Municipality with the ability to ameliorate the impact of reassessment tax shifts where farm values change at a different rate than residential properties. The Province did not provide for a corresponding change in the education rates in these circumstances resulting in 100% of any such protective measures being absorbed by the Municipal taxpayers. In the case of Hamilton, most of the cost would transfer to the residential class since the Industrial/Commercial/ & Multi-Residential classes are 'hard-capped'.

It is also noted, that Mr. Beaubien made no similar recommendation in relation to the managed forest class since "concerns about the tax rate of the managed forest class were not expressed during the consultations". It is staff's opinion that these two classes should have been treated in parallel (as they always have been), and omitting one just because no one raised the issue is unreasonable.

# 22e Industrial Property Class – Zoning:

The text at the beginning of this recommendation refers to situations where the tax class is unclear, and recommends, as a failsafe mechanism, reference to the zoning of the property as a final reference point. However, the final sentence in the recommendation can also be interpreted on its own as saying that zoning should be the only criteria. There are numerous industrial applications in non-industrial zones: either from a historical perspective and are termed as legal non-conforming uses; and, there are differences in the use of the term industrial for zoning as opposed to the assessment act. The recommendation needs further clarification in order to determine its intent.

# 26a Multi-Residential Class – Future Elimination:

A number of recommendations are made in the report concerning the treatment of multi-residential properties. Clearly the author of the report is more concerned about Provincial Policy on affordable housing than fairness and equity in taxation and assessment.

The perception that Multi-Residential properties contribute more in taxation than do Residential properties appeared with the new CVA system of assessment in 1998. The resulting tax rate differentials raised numerous concerns, however in reality there is equity in that these properties are not valued on their market value, but rather as a factor of their income producing potential. The net result of a more complete analysis is that the two classes are currently making comparable tax contributions and that no change in the tax rates should occur unless there is also a change in assessment methodology.

- Assessment Values:

  The City of Hamilton (in 2002) has 868 apartment buildings containing some 43,700 units with an average assessment per unit of $37,900. Tax rates on multi-residential assessments were 2.46 higher than on residential resulting in an equivalent residential assessment of $91,000. This compares favourably to the selling prices for condominium apartment units, and therefore the net levels of taxation are similar.

- Impact Analysis:

  Staff are concerned with the recommendations to make the change within the next few years (longer period recommended for Toronto).

The recommendation to eliminate the multi-residential class would result in a tax increase on the residential properties amounting to 13%. The further suggestions that the province give some consideration to permitting municipalities the ability to redistribute the taxes to all classes would result in a 9% increase in Residential, a 9% increase in both Commercial and Industrial rates. This measure would be counter-productive in that it would eliminate much of the gains that have been made in reducing the Commercial and Industrial class reductions through the City's BTR plan over the last several years, and would likely see the total still being transferred to the Residential sector for several years since the Commercial and Industrial sector are subject to capping restrictions.

- Tax Ratios:

Municipalities currently have the ability to move the tax ratios over a period of time and at their own pace. Hamilton's ratio for multi-residential properties currently exceeds the provincial threshold average (currently 2.74) and therefore the city is not permitted to levy any tax increases on this class of property. In addition, the city has been reducing the ratio over the past several years, the net result of which is that multi-residential taxes have been decreasing. In 1998 the ratio for Hamilton was 3.06 and it has fallen to 2.83 in 2002.

- Assessments of Multi-Residential properties:

Multi-Residential properties are not assessed based on their current selling prices (as are residential properties), rather they are assessed based on their income generating capacity. Consequently, when Mr. Beaubien makes the statement in his report that "we should strive to correct the inequitable tax burden…in order to achieve fairness" – it is clear that he has not fully analysed the reasons for the different tax rates. A change in tax rates should not be contemplated without a change in assessment valuation methodology for multi-residential units.

Decreases in property taxes on multi-residential properties are required by law to be passed along to the tenants (if they exceed 2.5% year over year). This means that a drastic reduction such as is being recommended will be transferred directly to the tenants and effectively reducing their contribution to municipal services, in this case they would be paying approximately 40% of the taxes that apply on similar condominium units. There would be no added incentive from this recommendation towards the creation of new apartment buildings as Mr. Beaubien contends.

Furthermore, municipalities also have the ability to establish a lower ratio for new multi-residential properties in order to act as a stimulus for new construction. Hamilton adopted a ratio of 1.25 to this end in 2001 and has not seen any positive results from it.

- Threshold Units:

The report recommends that municipalities be given the ability to adjust the threshold at which properties are considered multi-residential. Currently if the number of units exceeds six the property attracts this tax class designation. If the bar were raised to 25, approximately 50% of the multi-residential properties would be eliminated from the class. This represents only 10% of the total multi-residential assessment and taxes (6000 units). Most of these units are also assessed at lesser values with an average of $25,000.

Permitting this form of adjustment would result in a free-for-all where municipalities would be successively lobbied across the province and the domino affect would ultimately result in there being no multi-residential properties province-wide. Any changes should be done on a province wide basis with a change to the enabling legislation. Furthermore, the current threshold is an industry standard in banking and real estate, and is not as arbitrary as Mr. Beaubien portrays. It is staff's opinion that no change should be made.

#29a Parking Lots and Vacant Land Class – Rates and Ratios:

The Parking lots and Vacant land sub-class is an optional class of properties provided to municipalities. If no optional class is opted then the default for these assessments is the vacant commercial class, which pays taxes at a 70% rate – this reflects the fact that vacant land did not previously pay business occupancy tax.

The City of Hamilton determined that it wanted to adopt a parking lot class specifically so that it could levy a higher charge in recognition that there is a business on the property. Further to act as a disincentive for speculative interests to remove buildings from properties for the sole purpose of getting a tax reduction.

Mr. Beaubien's recommendations to limit the rate application to this class of property would effectively eliminate the class and reduce the tax revenue available to the City of Hamilton by approximately $860,000. Staff do not concur with his recommendation in this regard. This reduction would be passed on as an increase to the Residential Class.

#33 Recreational Complex:

Recreational complexes owned by Commercial/Industrial concerns such as is the case with the Dofasco sports park in Stoney Creek fell into the Industrial class of property in 1998 and experienced a significant tax increase. When capping was introduced the immediate increase was ameliorated, however, in the long term these properties will be paying taxes at the same CVA rates applicable to their owners operations. Staff do not believe that Market Value Assessment was intended to have this impact, and support the recommendation to tax these properties in the residential class.

#38 Small Business – Graduated Tax Rates:

With the introduction of CVA in 1998, the Province introduced a number of tools for Municipalities to help ameliorate the impact of tax shifts. One of the tools, which Hamilton adopted, was the provision of graduated tax rates for Commercial and Industrial properties. Shortly, after the Province legislated mandatory tax capping for these properties and the City of Hamilton has since abandoned the use of this measure as it was determined to be redundant and added unnecessary complexity to the system for both tax administration and the taxpayer.

We cannot support the introduction of mandatory banding as Mr. Beaubien has recommended, and would add that if the Province is contemplating this measure it should only be introduced with the complete elimination of capping.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The recommendations contained within the Beaubien report may have significant financial impact on the municipality's financial resources. The recommendation to collapse the multi-residential tax class into the residential class appears to have the most significant potential impact, with a projected increase of 13% in municipal residential taxes.

POLICIES AFFECTING PROPOSAL:

Municipal policies regarding the adoption of optional tax classes.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

The recommendations in the Beaubien report have been reviewed in consultation with the Regional and Single Tier Treasurer's working group, the Municipal Finance Officers Association, and the Municipal Reference Group organized by the Ministry of Municipal Affairs.

CITY STRATEGIC COMMITMENT:

Some of the recommendations in the Beaubien report will frustrate the municipalities objective of reducing commercial and industrial taxes to make them more competitive and attract new growth and redevelopment.

Property Assessment and Classification Review

Beaubien Recommendations:	Comments
1. It is the opinion of this author that property taxes in Ontario should continue to be based on current value assessment. It is also this author's opinion that exceptions to CVA are appropriate in limited circumstances; namely, for unique properties where equity or practicality render CVA an inappropriate basis for taxation.	Agree
2. In keeping with the provincial goals of simplifying the property tax system and moving the tax rates of the various property classes closer together, it is the opinion of this author that the government should refrain from creating additional property classes and sub-classes. The creation of new tax classifications would increase the disparities between the tax levels of different properties and it would add further complexity to the system.	Agree
3. If any changes are made to provincial policies, legislation or regulations after the delivery of the assessment roll for the tax year, it is difficult for municipalities to respond. If tax rates have already been set when the policy change is made, municipalities may not be able to recover tax revenue losses that result from the policy change. Therefore, if the government takes action on any of the recommendations contained in the attached report, it is the recommendation of this author that legislative and regulatory changes should not be made on a retroactive basis, except in the case of amendments that are made to clarify current policy in order to preserve the status quo.	Agree
4. **ACCESS TO INFORMATION:** It is recommended that MPAC and the Ministry of Finance work together to ensure that there is an open exchange of information between MPAC and the public. It is recommended that the Joint Committee review MPAC's current policies governing the release of assessment information to determine whether the policies sufficiently respond to the needs of municipalities and the public, and that the Joint committee report to the Minister of Finance within six months to advise whether MPAC should provide expanded access to information about assessment methodologies, policies and procedures.	See Report
5. **ACCREDITATION OF ASSESSORS:** It is recommended that standard education or accreditation requirements not	Disagree

be imposed by the Province upon persons working as property assessors.

6. **ADVISORY COMMITTEES:** See Report

It is recommended that the Ministry of Finance / MPAC Joint Committee serve as an ongoing venue in which stakeholder groups can bring forward assessment and property tax issues that are causing concern within their particular sectors. It is recommended that the Joint Committee take the initiative to inform stakeholders of the opportunity to make submissions and engage in discussion with provincial government and MPAC representatives through this Committee.

7. **APPEAL TIMING:** Agree

It is recommended that the deadline to appeal assessments to the ARB remain consistent for all property owners at March 31st of the taxation year.

8. **APPEALS** (upper tier): See Report

It is recommended that appeal powers not be conferred upon upper-tier municipalities.

9. **BANKS:** Agree

It is recommended that the Province not prescribe an assessment methodology to be used in the assessment of stand-alone bank branches.

10. **CABLES:** Agree

The imposition of property tax on cables and telecommunication lines is not recommended at this time.

- It is recommended that any discussions about the taxation of the telecommunication industry should involve the federal government, notably the Canadian Radio-Television and Telecommunications Commission (CRTC).
- It is recommended that railway corridors and pipelines that are leased by the owner to another entity for purposes unrelated to the business of the owner should be assessed on an income basis. It is further recommended that rates of assessment and taxation on pipelines and railway corridors in these situations be developed by the Ministry of Finance in consultation with MPAC and the affected property owners to ensure the rates are fair and appropriate.

11. **CAMPS:** Agree

It is recommended that children's recreational camps, which are used on a seasonal basis, be included in the residential class.

It is recommended that facilities, which operate for business purposes on a year round basis and offer camp programs on a seasonal basis, be included in the commercial class.

Camp properties, which are eligible for exemption from taxation, under section 3 of the Assessment Act or under private legislation, should retain their exempt status.

12. CAR DEALERSHIPS: Agree

It is recommended that the Province not prescribe special rules for the assessment of car dealerships, and it is recommended that a special property class not be created for car dealerships. These properties should remain in the commercial class.

13. **CONSERVATION LAND:** Agree

It is recommended that the Province not prescribe an apportionment methodology to

In deference to the consultation process that is being led by the Ministry of Natural Resources in this matter, a recommendation concerning an expansion of the categories of properties that are eligible for exemption from property taxation is not being made at this time.

14. **ECONOMIC DEVELOPMENT INCENTIVE TOOLS:** Agree

It is recommended that zones be created in which property tax incentives (reductions or exemptions) could be provided to businesses that construct new buildings or expand existing facilities.

NB: In the Speech from the Throne on May 9, 2002, it was announced that the Government plans to introduce legislation to create tax incentive zones to encourage businesses to locate and invest in rural and northern communities.

In the Ontario Budget Speech on June 17, 2002, the Minister of Finance announced that the Government plans to consult with the private sector and municipalities about the development of legislation to establish tax incentive zones in Ontario.

15. **ENVIRONMENTAL PROTECTION:** Agree

It is recommended those features of a property, which are designed for environmental protection or pollution control not be subject to additional assessment.

16. **EXEMPT LANDLORDS WITH TAXABLE TENANTS**: Agree

It is recommended that the Province not take action to require MPAC to assess all occupants of exempt properties.

17. FARMS:

a. • **Application Process**

- It is recommended that a requirement to submit applications for inclusion in the farm property class be maintained. The application process is an important accountability measure to ensure that persons who are benefiting from the preferential farmland property class tax rate are conducting bona fide farming operations.

  Agree

- It is recommended that there be a single common date prior to the tax year that applies province-wide rather than the current system of different application deadlines in different municipalities.

  Agree

- It is recommended that the Ministry of Agriculture and Food be authorized to accept and process applications that are submitted up to December 31st of the taxation year.

  Agree

b. • **Assessment Methodology**

Agree

- It is recommended that changes not be made to the method of assessing farmland at this time. It is believed that MPAC's current assessment methodology – which takes into account such variables as soil quality, drainage, mineral composition, and climate zones, does reflect the productive capacity of farmland. In making this recommendation, regard is given to the underlying premise of the assessment system which is to establish the value of real estate, not to establish the value of a business activity based on the number of units sold each year.

- It is recommended that MPAC develop a test to isolate farm lands within urban shadows to ensure that their assessed values are not higher than the assessment rate per acre for similar lands outside the urban shadow area.

  See Report

- It is recommended that MPAC develop a farm assessment education and training program to address the concerns of the farming community that farmer-to-farmer sale prices do not reflect the productive capacity of farm lands.

  Agree

c. • **Farm Buildings**

Agree

Activities conducted ON the farm property

- "primary agricultural production" should be included in the farm property class.
- "value-retention activities" should be included in the residential property class.

- "value-added activities" should be assessed at commercial or industrial rates and included in the commercial or industrial property class (based on the activity).

- it is recommended that the land underneath value-added buildings on farm properties be assessed at farmland rates (while the buildings would be assessed at commercial or industrial rates).

Activities conducted OFF the farm property

- "value-retention activities" should be included in the commercial property class. Agree

- "value-added activities" should be included in the commercial or industrial property class (based on the activity).

- Grain elevators should be included in the commercial property class, not the industrial class.

Storage facilities owned and operated by farmers and are used exclusively for the storage of produce grown on the farmers' own lands, should be included in the residential property class

- Storage facilities owned or operated by persons other than farmers storing their own produce, should be included in the commercial property class.

d. • **Government-Owned Farmland** — Approved 2002 Provincial Budget

- To provide fair and consistent treatment to all members of the farming community, it is recommended that government-owned farmlands, which are occupied by tenant farmers, be eligible for inclusion in the farmland property class.

•

e. • **Mixed-Use Properties** — Agree

- It is recommended that O. Reg. 282/98 be amended to clarify that the portions of mixed-use properties that are used for bona fide farming activity should not be included in the excess land sub-class, but rather, should be included in the property class which most appropriately reflects the circumstances on the property. Farming activity could attract different classifications depending on the circumstances of the specific property. The farmed portion of a property may be included in the farmlands class, the residential class, or one of the farmland awaiting development sub-classes.

f. - **Name of Classes** DONE

  - The following name changes are recommended:

    - change the name of the "residential/farm property class" to "residential property class"; and

    - change the name of the "farmlands property class" to "farm property class".

g. - **Tax Rates** DONE

  - give municipalities the flexibility to respond to local conditions and local priorities while still maintaining the protection of a reduced tax rate for farmers, it is recommended that upper-tier and single-tier municipalities be given the ability (on an annual basis) to set a tax ratio for the farm property class that is below 25% of the residential tax rate.

- It is recommended that the authority to apply a reduced tax rate to the farm class should only apply in respect of the municipal portion of the tax. The education portion of the property tax makes up a very small component of the overall tax on farm properties. There is currently a uniform education tax rate of 0.09325% for farm properties, and it is not recommended that there be deviation from province-wide consistency on the education tax. See Report

18. **FLOAT HOMES:** Agree

It is recommended that residential dwellings located on the water should be subject to property taxation at the residential rate. If there is ambiguity in the definition of assessable property under the *Assessment Act*, it is recommended that the Act be amended to clarify that permanent dwellings located on water are assessable in the same manner as dwellings located on land.

- Motorized vehicles, commonly known as houseboats, which are designed for short-term recreational accommodation would continue to be treated like personal property (i.e. chattels) and would not be assessed.

19. **FUNERAL SERVICES:** Agree

It is recommended that visitation centres and other facilities that provide non-interment services on cemetery sites should be subject to property taxation in the same manner as their off-site counterparts. The burial ground areas of cemetery sites should retain their exemption from taxation. It is only visitation centres or other non-interment facilities that should be identified on the assessment roll as taxable.

20. **GRAVEL PITS:**

Agree

- It is recommended that changes not be made to the classification of gravel extraction sites.

21. **HOTELS:**

- **Assessment Methodology**

  Approved 2002 Provincial Budget

  - Having regard for the assessment methodology that is applied in other jurisdictions, it is proposed that the following standards be used by MPAC in the assessment of hotels in Ontario:

    - The standard deduction for management expenses should be 5%, but MPAC should have discretion to apply a higher or lower percentage based on the circumstances demonstrated for each individual property.

    - The standard deduction for chattels (furniture, fixtures and equipment) should be 15%, but MPAC should have discretion to apply a higher or lower percentage based on the circumstances demonstrated for each individual property.

  - Suite Hotels

    - It is recommended that all hotel operations be included in the commercial property class. To achieve this objective, it is recommended that the definition of “hotel” in O. Reg. 282/98 be modified to capture facilities that are in the business of providing transient accommodation to the travelling public, regardless of whether on-site food service is provided and regardless of whether the property is a condominium.

      Agree

22. **INDUSTRIAL PROPERTY CLASS:**

a. • **Manufacturing**

Agree

- It is recommended that the phrases “in connection with” and “producing or processing anything” be removed from the definition of the industrial class, so that the opening portion of the definition would read “land used for manufacturing”.

- If the meaning of the word “manufacturing” is not clear within the context of the body of case law that has interpreted that word over the years, it is recommended that the Minister of Finance prescribe a definition.

  Agree

It is recommended that consideration be given to including some processing activities in the industrial class if the processes are industrial in nature, but these activities should be narrowly defined or

Agree

specifically listed in the regulation (as is currently done for a few activities such as mining and quarrying) to avoid unintended expansion of the class.

b. • **Research and Development** Agree

. It is recommended that research and development (R&D) be removed from the industrial class, and that R&D facilities be included in the commercial class.

c. • **Retail Sales** Agree

. It is recommended that retail sales premises be removed from the industrial class and included in the commercial class.

d. • **Grain Elevators** Agree

. It is recommended that grain elevators be removed from the industrial class.

e • **Zoning** See Report

. As a failsafe mechanism, to ensure that businesses do not get unintentionally included in the industrial class (for example, in cases where it is unclear whether an activity should be characterized as "manufacturing"), it is recommended that regard be given to the zoning of the property. It is recommended that businesses located in commercially zoned areas not be included in the industrial property class.

23 **LARGE INDUSTRIAL PROPERTY CLASS:** Agree

. It is recommended that the 125,000 square foot threshold be maintained for the large industrial property class.

24. **LIFE LEASE BUILDINGS:**

. It is recommended that the Province not prescribe changes to the assessment methodology of life lease properties. Agree

25. **MANAGED FORESTS:**

- **Assessment Methodology (Banding)**

It is recommended that the band method not be applied to the assessment of managed forest properties. Agree

- **Assessment of Mixed-Use Properties**

. It is recommended that the Province not prescribe an apportionment methodology to be used in the assessment of managed forests on Agree mixed-use parcels.

- **Eligible Property** — Agree

  It is recommended that the Canadian citizenship ownership requirement be removed as a prerequisite to eligibility for the managed forest property class.

  It is recommended that eligibility for the managed forest property class be expanded to include portions of the natural landscape that cannot support trees, provided that these areas are surrounded by eligible managed forest. — Disagree

- **Oversight and Administration**

  Administrative changes as proposed by the Ministry of Natural Resources — Agree

26. **MULTI-RESIDENTIAL CLASS:**

a. **Future Elimination of the Multi-Residential Class** — See Report

It is recommended that the multi-residential property class be combined with the residential class and that the municipal tax rate on multi-residential properties be reduced to the residential rate.

It is recommended that municipalities be required to fully implement the elimination of the multi-residential property class as early as January 1, 2006. However, in recognition of the unique circumstances facing the City of Toronto, which had an extremely outdated assessment base prior to reform, it is recommended that Toronto be given until at least January 1, 2010 to fully implement the merger of these two classes.

It is recommended that consideration be given to the appropriate funding and distribution of the cost of reducing the tax rate on multi-residential properties down to the residential rate. In particular, it is proposed that municipalities be permitted to distribute the cost across all classes rather than shifting the cost entirely onto the residential class.

b. **Short-Term Recommendations**

- Rooming Houses: — Agree

  It is recommended that O. Reg. 282/98 be amended to specify that licensed rooming houses shall be included in the residential property class.

- Retirement Homes: — Agree

  It is recommended that O. Reg. 282/98 be amended to specify that retirement homes shall be included in the residential property class.

c. • **Co-Operative and Co-Ownership Housing:**

It is recommended that O. Reg. 282/98 be amended to specify that co-operative and co-ownership buildings shall remain in the residential class and shall not be placed in the multi-residential class in the event that less than 50% of the units are owner-occupied. Disagree

It is further recommended that O. Reg. 282/98 be amended to remove the provisions, which prevent co-operative, and co-ownership buildings from being included in the residential class if they are created after 1998. Buildings with the same ownership structure that are developed after 1998 should be included in the residential class. Agree

d. • **Vacant Multi-Residential Land:** Agree

It is recommended that O. Reg. 282/98 be amended to specify that vacant lands which are zoned for any form of residential development should be included in the residential class, regardless of whether the zoning specifies single family or high density development.

E • **Land Lease Communities:** Agree

It is recommended that O. Reg. 282/98 be amended to clarify that land lease properties should be included in the residential class to be consistent with the treatment of mobile home parks and other similar properties.

F • **Thresholds:** See Report

It is recommended that upper-tier and single-tier municipalities be given the option of increasing the number of units (above seven) that will trigger eligibility for inclusion in the multi-residential property class within their boundaries.

27 **NON-PROFIT ORGANIZATIONS:**

It is recommended that the rebate program under section 442.1 of the *Municipal Act* be enhanced to give lower-tier municipalities the option of providing property tax rebates to non-profit organizations that have not been made eligible for rebates by the upper-tier level of municipal government. Expanding the rebate program in this manner would enable local municipalities to address local issues. Disagree

Where rebates are initiated by a lower-tier municipality, it is recommended that the cost of the rebates be shared in the same manner as tax relief for brownfield sites or heritage properties under sections 442.7 and 442.8 of the *Municipal Act* whereby the lower-tier municipality decides on a percentage of tax relief to be provided, a matching percentage of the education tax may be provided, and the upper-tier municipality is given the option of providing matching relief in respect of its portion of the tax.

It is recommended that the definition of “non-profit service organization” be clarified to ensure that non-profit animal shelters, which by their nature provide a service for the welfare of the community, are eligible for inclusion in the residential property class.

Agree

Expansions to the list of statutory exemptions are not recommended at this time. It is believed that the broad tax rebate authority that has been given to municipalities under section 442.1 of the *Municipal Act* should obviate the need to enact further tax relief measures.

Agree

28. **OFFICE BUILDING AND SHOPPING CENTRE CLASSES:**

It is recommended that the 25,000 square foot thresholds be maintained for the office building and shopping centre classes.

It is recommended that there be only one 25,000 square foot threshold applied to each parcel of land on which there are one or more buildings that are eligible for inclusion in the office building or shopping centre classes.

Agree

29. **PARKING LOTS AND VACANT LAND CLASS:**

a. • **Rates and Ratios**

It is recommended that restrictions be placed on the tax ratio of the parking lots and vacant land class to ensure that vacant land and rail yard properties are not penalized by the application of this class. The tax rate of this class should be no higher than the rate that would be levied on vacant land and rail yard properties in the commercial vacant land sub-class.

See Rep

b. • **Sub-Classes**

It is recommended that Province not create parking lot sub-classes to distinguish between different categories of ownership or different types of parking lots.

Agree

30. **PIPELINES:**

It is recommended that the property tax treatment of oil and gas pipelines be changed from an assessment-based system to a prescribed tax rate system.

Disagree

As a long-term goal, it is recommended that the municipal-specific tax rates be gradually phased into consistent province-wide rates.

It is recommended that the Ministry of Finance participate in an ongoing dialogue with pipeline owners and municipalities to ensure that this proposed new system is responsive to their needs.

It is also recommended that gate stations, which regulate gas pressure and monitor gas flow and quality, be included in the commercial property class.

31. **RACE TRACKS AND GOLF COURSES:**

Provincial intervention in the methodology of assessing racetracks and golf courses is not recommended at this time.

It is recommended that the owners of racetracks and golf courses continue to engage in a dialogue and exchange of information with MPAC, with a view to reaching a consensus on the assessment methodology issues. Agree

It is recommended that the Ministry of Finance monitor the progress and the outcome of these discussions through the Joint Committee to ensure that any proposed changes to the assessment methodology are fair and manageable.

32. **RAILWAYS:**

a. • **Railway Corridors (Rights-of-Way)**

It is recommended that the current system of prescribed tax rates with nine regions be maintained for main-line rail corridors, but it is recommended that modifications be made to the tax rates of short-line railways. Agree

It is recommended that short-line railway corridors be taxed at the lower of:

- the prescribed tax rate for the region in which the rail corridor is located; or Agree
- the average of the tax rates prescribed for all nine regions.

No changes to the overall tax burden of railways are recommended at this time. Agree

b. • **Rail Yards**

It is recommended that O. Reg. 282/98 be amended to clarify that a rail yard includes not only the tracks, but also the marshalling areas, loading and unloading areas, holding areas, intermodal transfer areas, and associated lands. Agree

To provide equity to competing modes of transportation, it is recommended that trucking terminal lands (but not the buildings), which serve a similar function to rail yard lands, be included in the excess land sub-class. Disagree

33. **RECREATIONAL COMPLEX:**

An expansion of the residential class to include recreational properties owned by for-profit business entities is not recommended. Agree

34. **RESIDENTIAL CONDOMINIUMS:**

It is recommended that residential condominiums remain in the residential property class.	Agree

35. **SCHOOLS:**

No changes to the tax treatment of for-profit private schools are being recommended at this time.	Agree

36. **SELF-STORAGE FACILITIES:**

It is recommended that public storage and mini-warehouse facilities continue to be included in the commercial property class.	Agree

37. **SHOPPING MALLS:**

It is recommended that the Province not create separate assessments for anchor tenants and that the Province not introduce new artificial tenant apportionments for shopping malls.	Agree

38. **SMALL BUSINESS:**

The creation of a new property class for small business properties is not recommended.	Agree
It is recommended that the graduated tax rate mechanism, which is currently optional, be made mandatory for the commercial property class. This mechanism would require municipalities to apply lower tax rates to smaller and lower-valued properties. Upper-tier and single-tier municipalities would have the option of establishing two or three bands of assessment, and they would set different tax ratios for each band. Municipalities would determine the thresholds of assessed value for each band and they would determine the tax rates that apply to each band.	See Rep
It is recommended that the Province impose certain standards to ensure that the intent of this program is met. Specifically, it is recommended that the Province prescribe criteria for a minimum threshold and a maximum tax rate for the first band of assessment.	

39. **TRAILERS:**

It is recommended that all residential units located in trailer parks, campgrounds, and land lease communities be assessed and taxed at the residential rate if they meet the test of being assessable real property by exhibiting characteristics of permanency.	Agree
It is recommended that MPAC not be required to issue omitted assessments for residential units that have not been assessed prior to 2003 due to the moratorium policy that was previously in effect. Therefore, it is recommended that the *Assessment Act* be amended to create a limited exception to the omitted assessment rules to address this particular situation.	Disagree

40. **WELLS:**

It is recommended that oil wells be subject to fixed assessments. Municipalities would continue to levy a tax on the wells at the local commercial tax rate. It is recommended that different assessments be prescribed for oil wells of different depths.

Agree

41. **ISSUES FOR FUTURE CONSIDERATION:**

- **CAP ON TAX INCREASES**

It is recommended that the Province conduct focused consultations with stakeholders on the question of the continuation of the mandatory cap on reassessment-related tax increases.

Agree

- **CROWN LAND**

It is recommended that the Province conduct further consultations with municipalities to address their concerns about Crown land.

Agree

CITY WIDE IMPLICATIONS

CITY OF HAMILTON

7.2

CORPORATE SERVICES
Legal Services

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Frank D'Amico, Councillor Paul Mallard, Manager of Development Planning Nancy Smith, Assistant Corporate Counsel
Date:	March 13, 2003	**Prepared by:**	Nancy Smith 905-546-4641

SUBJECT: Report of the GTA Task Force on OMB Reform (City Wide)

RECOMMENDATION:

(a) That the City of Hamilton receive and endorse the Report of the GTA Task Force on OMB Reform dated March 7, 2003;

(b) That the following Resolution be forwarded to the Chair of the GTA Task Force on OMB Reform, the Attorney-General, the Minister of Municipal Affairs and Housing, and the provincial party leaders:

WHEREAS the Ontario Municipal Board was created to resolve municipal land use issues at a time when municipal governments were small and had limited planning expertise;

AND WHEREAS the role and mandate of the Ontario Municipal Board have not been significantly altered in response to increased municipal planning skills or expanded municipal responsibilities for land use planning under the *Planning Act;*

AND WHEREAS the Ontario Municipal Board has broad planning powers and can make decisions in the absence of a full municipal review of a planning application;

AND WHEREAS Ontario municipalities invest significant resources in staff time, legal and other associated costs in establishing and implementing local planning policy;

AND WHEREAS there have been numerous Council Resolutions, municipal reports and reports from planning professionals and academics advocating reform of the Ontario Municipal Board;

AND WHEREAS the GTA Task Force on OMB Reform, an informed group of municipal elected representatives, and staff, after study and consultation, has made practical recommendations for improvements to the planning appeal process:

NOW THEREFORE BE IT RESOLVED THAT the City of Hamilton endorses the Report of the GTA Task Force on OMB Reform dated March 7, 2003.

Frank D'Amico

Frank D'Amico, Councillor

Paul Mallard, Manager of Development Planning

N Smith

Nancy Smith, Assistant Corporate Counsel

EXECUTIVE SUMMARY:

The Report of the GTA Task Force on OMB Reform dated March 7, 2003 recommends reform of the Ontario Municipal Board in the following areas:

- **Update the role of the Ontario Municipal Board**
  Municipalities and planning law/policy have grown and matured since the OMB was created in 1897. Today, municipalities are the focus of the land-use planning decision-making process in Ontario. As such, their land-use policy decisions should be final. The Ontario Municipal Board should assume the role of a true appellate body that could only interfere in municipal planning decision-making where the municipality's decision is shown to be unreasonable. A "leave to appeal" standard and two (2) staged process would facilitate this limited

jurisdiction. De novo hearings before the OMB would only take place in cases where leave to appeal is granted. De novo hearings should be the exception.

- **Enable timely municipal decision-making based on complete information**
  The *Planning Act* permits applicants for Official Plan and Zoning By-law Amendments to appeal to the Ontario Municipal Board within 90 days of applying in the event the municipality fails to decide within that time. Difficulties arise when municipalities do not have sufficient information to make an informed decision within these time constraints. The time frame for appealing a municipal failure to make a decision should be 150 days. The 150 days should not begin to run until the municipality has a complete application as defined by the municipality. The Ontario Municipal Board's jurisdiction would be limited to resolving "complete application" disputes and applying the "leave to appeal" standard and two (2) staged process in the event of the expiry of the 150 days.

- **Support citizen participation through intervenor funding**
  The best way to support public participation in planning decision-making is to make full use of the municipal planning process. At the municipal level, public participation is inexpensive and informal. The previous recommendation to eliminate de novo hearings except where the leave to appeal standard of unreasonableness is shown will focus public participation at the municipal level.

  In cases where leave to appeal is granted and a de novo hearing warranted, the Province should establish a fund to finance public participation. To qualify, groups should be incorporated, have participated in the local planning process, raise a portion of the funds themselves and address broad public or provincial interest issues (e.g. affordable housing, protection of farmland, environment, etc.).

- **Promote an Independent and Fair Tribunal**
  The OMB must operate and be perceived to operate as an independent and fair tribunal. Therefore, terms should exceed government terms (six (6) years), the appointment process should be open and non-partisan and Board Members should be evaluated.

BACKGROUND:

In June 2002, Durham Regional Council directed the Regional Chair, Roger Anderson, to convene a meeting of Greater Toronto area officials to discuss and make recommendations on OMB reform. This direction reflected the sentiment of many Ontario municipalities' growing frustration with the Ontario Municipal Board's role in the planning approval process in Ontario.

On September 16, 2002, a group of GTA and Hamilton elected official and municipal staff (21 members) met in Whitby. Frank D'Amico, Paul Mallard and Nancy Smith attended from Hamilton. A number of meetings followed. Stakeholders including academics, ratepayer groups, government agencies and development industry representatives made presentations. The Task Force heard from the Liberal and New Democratic provincial parties as well as the Chair of the Ontario Municipal Board. Through listening, discussion and research, the Task Force produced the Report of the GTA Task Force on OMB Reform dated March 7, 2003. The Report is attached as Appendix 1. Hamilton's Task Force members concur with the contents of the Report and recommend it to Council for endorsement.

ANALYSIS OF ALTERNATIVES:

None

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

None

POLICIES AFFECTING PROPOSAL:

None

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

None

CITY STRATEGIC COMMITMENT:

None

Report of the

GTA TASK FORCE ON OMB REFORM

Recommendations for Reforming the Ontario Municipal Board and Ontario's Planning Appeal Process

March 7, 2003

SUBJECT:

Recommendations for Reforming the Ontario Municipal Board and Ontario's Planning Appeal Process

REPORT:

PURPOSE

The purpose of this report is to recommend reforms to the Ontario Municipal Board (OMB) and the related land use planning appeal process, and to seek endorsement of these recommendations by the local and regional governments within the Greater Toronto Area. The Task Force will then forward the endorsed recommendations to the Minister of Municipal Affairs and Housing and the Attorney General and others who may be in a position to implement or influence those reforms.

BACKGROUND

Originally created as the Office of the Provincial Municipal Auditor in 1897 to supervise account keeping by municipalities, the Ontario Railway and Municipal Board was formed in 1906 with an added responsibility for railways. Renamed the Ontario Municipal Board in 1932, its powers have expanded greatly over time and the Board now obtains its jurisdiction from more than 100 statutes. This report is concerned with its jurisdiction under the *Planning Act.*

The Board was created to arbitrate municipal issues in a predominantly rural society where municipal government was small and unsophisticated. After World War II, Ontario's population became increasingly urban, planning departments began to emerge in Ontario cities and towns, and land use planning legislation began to be enacted provincially. At the dawn of the 21st century, Southern Ontario, in particular, is primarily an urban culture with rapid development in and around its major cities. Municipalities now possess considerable planning expertise. Since 1995, the Province has downloaded most land use planning responsibilities to the municipal level of government. The new *Municipal Act, 2001* recognizes municipalities as an order of government.

While the OMB has undergone some administrative changes over the years and recent procedural improvements, its role and mandate have not been significantly altered in response to the increasing maturity of the municipal planning role and process.

FORMATION OF TASK FORCE

Many Ontario municipalities have expressed growing frustration with the planning appeal process administered by the Ontario Municipal Board (OMB). They feel it undermines their planning authority and is a drain on their financial and staff resources. In June 2002, Durham Regional Council discussed and endorsed a City of Mississauga resolution citing difficulties experienced by municipalities in relation to the OMB. Durham Council further directed the Regional Chair, Roger Anderson, to convene a meeting of Greater Toronto area (GTA) officials to see if, jointly, such a group could formulate and agree upon recommendations for reform of the OMB appeal process.

On September 16, 2002, a group comprising GTA and Hamilton elected officials and municipal staff met at the Region of Durham Council Chamber. A possible course of action to stimulate meaningful reform of the OMB appeal process was discussed and the group agreed to work as a Task Force to pursue this objective. Attachment 1 lists the Task Force Members. The Terms of Reference adopted by the Task Force are provided as Attachment 2. The objective was to prepare a report to the Attorney General and the Minister of Municipal Affairs and Housing recommending reforms that would address the key issues that municipalities face in the planning appeal process.

Task Force members saw it as essential to engage stakeholders in their review process, to look at the appeal mechanisms used in other jurisdictions and, with a Provincial election approaching, to hear the position of each provincial party with respect to the OMB mandate and function. The Task Force invited a variety of stakeholders in the planning process to present their views. Representatives of each of the three provincial political parties were invited to present their party's perspective. The Ontario Municipal Board was also invited to provide information about the appeal process and any planned changes. The Task Force also hoped to generate some media interest in the process so that the broader community would become aware of the issues and the work underway.

CONSULTATION PROCESS

Based on suggestions from members of the Task Force, sixteen stakeholder groups and knowledgeable individuals including academics, ratepayer groups, government agencies and the development industry were invited to appear before the Task Force to present their recommendations for changes to the OMB appeal process. Three consultation dates were offered during December 2002 and January 2003. Nine representatives appeared before the Task Force (see Attachment 3). Of the groups invited, only 2 did not respond. Some stakeholders were unable to attend as they were involved with cases before the Board or because their schedule did not allow it. The Ontario Professional Planners Institute (OPPI) felt that their February 2002 paper fully explained their position.

In addition to the stakeholder groups, representatives of the Liberal Party and the New Democratic Party spoke to the Task Force on Feb. 3, 2003, to explain the kinds of changes they envisioned making to the OMB or the planning process, if elected.

The Chair of the OMB made a presentation on changes and improvements to the appeal process that had been made, were underway or were being considered by the OMB itself. He provided copies of their Code of Conduct, recently revised forms and some caseload statistics.

Each group or individual that appeared before the Task Force was asked to make a short presentation and then respond to questions from Task Force Members. This was an extremely informative process and covered a full spectrum of views on the OMB, from those who felt that very little or no change to the appeal process was needed, to those who felt it was beyond fixing and should be abolished.

Various municipal resolutions calling for reform of the OMB had been passed on to the Task Force by its members and by the Durham Regional Clerk's Office. Several reports on the OMB from municipalities, planning professional groups and academics were also brought to the attention of the Task Force. These also represented quite a broad range of perspectives. Some focussed on procedural adjustments while others advocated radical reforms.

The Task Force reviewed the notes and materials from all the presentations, the municipal motions and the various reports and extracted, grouped and summarized the recommendations contained in them. See Attachment 4, Summary of Consultation and Submission Recommendations.

PLANNING APPEAL PRACTICES IN OTHER JURISDICTIONS

Task Force research showed that the nature of appeal boards, both provincial and local, and the extent of their authority on land use planning appeals vary significantly from province to province. Each province has taken a different approach to planning appeals based upon what was decided, who made the decision, and how the decision was made.

All provinces, with the exception of British Columbia and Quebec, have provincial boards that have jurisdiction to hear appeals of land use planning decisions made (or not made) by municipal councils, local or regional planning authorities, committees or boards. Generally, the range of planning instruments over which provincial boards have jurisdiction is limited. No provincial board in Canada has jurisdiction over planning-related matters as extensive as that of the Ontario Municipal Board.

In most provinces, provincial boards do not have appellate jurisdiction over official plans. The appellate jurisdiction of provincial boards with respect to other planning approvals varies from province to province. Generally, zoning by-laws cannot be appealed to provincial boards, but planning controls that affect the details of development proposals (for example, development permits and minor variances) can be appealed.

Some provinces have local boards that hear appeals. However, to the extent that they have appellate jurisdiction, these local boards typically only review decisions of administrative officials.

Every province has statutorily codified processes that provide for property owners and other interested parties to have a full and fair opportunity to present their views to the original decision-maker and/or an appeal board on planning-related matters. Where the provinces differ is in their views as to whether appeals to a provincial board and/or a local board are necessary to ensure that the rules of natural justice or procedural fairness are respected in the decision-making process. In provinces where appeals of certain municipal decisions are not allowed (for example, official plans and zoning bylaws in British Columbia and Alberta), the legislation sets out stringent procedural requirements. In these situations, a hearing before an appeal board is not seen as required to ensure that the process is fair.

For those limited matters in respect of which provincial boards have appellate jurisdiction, the legislation typically provides for *de novo* hearings[1].

ISSUES IDENTIFICATION

The following key issues were identified as a result of the consultation and research:

Role and Jurisdiction of the Board

- The OMB :
    - can overrule or support decisions of elected councils
    - is not accountable to the electorate
    - often makes decisions that undermine local Official Plans created through considerable public consultation
    - deals with much more than Provincial Policy Statement (PPS) issues and approval of Official Plans

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[1] "*de novo*" hearing: According to the Guide to the Ontario Municipal Board, p.9, a hearing before the OMB is "usually a new presentation of the issues. This means that the Member(s) look at each application or appeal from the beginning as if no decision had ever been made by a previous tribunal such as a municipal council, a committee of adjustment, land division committee or the Assessment Review Board (therefore you must prove your case again). The Board can make any decisions that the earlier tribunal could have made and the decision may be different".

- No other Canadian jurisdiction has an appeal body with a similar scope of planning appeal powers
- Guidelines & limits on the OMB mandate are unclear.

Procedural Complaints

- 90 day appeal period is perceived as an unrealistic processing timeframe for municipalities
- Hearing is not a true appeal or review, but a *de novo* hearing
- Pre-hearing process and mediation often are not used.

Barriers to Public Participation

- OMB procedures are complex, legalistic and are perceived as a barrier to public participation
- 90 day appeal provision can circumvent local planning process and may limit opportunity for public input
- Citizen input is given less weight as evidence than professional opinion
- Cost, time requirements are a barrier to public participation

Cost of Municipal/Agency Participation

- Deters municipal participation
- Potential of costly OMB hearing affects local planning decisions
- Diverts scarce municipal/agency resources from other planning needs and local expenditure priorities
- Municipalities are forced to spend large sums if they are to defend local planning decisions

Credibility/Impartiality of OMB

- Appointment process, length of tenure could be revised to enhance the Board's independence
- There is no transparent process for evaluating the performance of the OMB or its members

Strength of the Planning Policy Framework

- *Planning Act* could give the Provincial Policy Statement (PPS) more weight
- Provincial Policy Statements are vague in some respects
- Local planning process/ Official Plans could be given more weight

Value Added by the OMB Process

- No evidence to demonstrate that decisions of the Board are better planning decisions than those made at the municipal level
- OMB perceived as being less open to innovative planning than it is to more traditional planning
- Little evidence to show that the OMB is successful in taking into account cumulative impacts of discrete planning decisions.

ANALYSIS

Two basic principles seemed to be at the heart of the issues discussed by stakeholders and form the basis for the Task Force's recommendations:

- Planning decisions of democratically elected Municipal Councils should not be replaced by the decision of a Provincially appointed body unless there is demonstrable evidence of error or impropriety on the part of the Council.
- Property rights are important and aggrieved parties should be entitled to some relief and remedy when a Municipal Council acts improperly, arbitrarily or outside of its jurisdiction.

In balancing these two guiding principles, the Task Force rejected the option of advocating the abolition of the Ontario Municipal Board. While abolition would clearly recognize the authority of elected Municipal Councils, it may not adequately provide for the rights and remedies of aggrieved parties. While the courts could play this role, the Task Force felt that the Ontario Municipal Board does possess helpful qualifications and experience with respect to municipal planning matters. These could not be easily duplicated and replaced by the Courts. Some stakeholders viewed the courts as a potentially more expensive and less inclusive mechanism for appeal.

The Task Force believes that the current system of OMB planning appeals does not give adequate deference to the process that municipalities go through in developing their Official Plans. Changes should be made to the planning system that support and validate the plans and decisions generated through the municipal planning process.

Therefore, in formulating its recommendations, the Task Force focused on what they felt were the primary flaws of the present system and the reforms that would most effectively address the issues identified in the research and consultation process. The Task Force anticipates that its recommendations would work best in conjunction with a stronger, clearer Provincial Policy Statement that should result from the PPS review currently underway.

RECOMMENDATIONS

The Task Force recommendations focus on four key areas of improvement:

1. Update the role of the Ontario Municipal Board
2. Enable timely municipal decisions based on complete information
3. Support citizen participation through intervenor funding
4. Promote an independent and fair tribunal.

The Task Force believes that these improvements are achievable with the changes proposed.

1. Update the Role of the OMB

Municipalities have grown and matured since the OMB was created. Provincial planning legislation and policy have also matured and support a rigorous public process for the development of municipal planning instruments such as Official Plans. The new *Municipal Act* recognizes municipalities as an order of government. The Province has delegated approvals of local Official Plans to single and upper tier municipalities. The role and mandate of the OMB should be updated to recognize and respond to these changes. The Board should provide **a true appeal or review mechanism** as a last resort for dealing with faulty decisions, **rather than substituting themselves as the planning decision-maker**.

Provincial legislation gives the primary responsibility for land use planning within a community to the municipal government. The *Planning Act* sets out a detailed procedure that municipalities are expected to follow in discharging that responsibility. A municipality is, and should be, required to go through a full, complete and open public process to establish or amend its Official Plan, zoning regulations and other planning instruments. Having gone through that mandated process, **the municipality's decisions should be final and binding unless it can be demonstrated that a significant error or impropriety has taken place. The onus of demonstrating the error or impropriety should be placed on the complaining party**.

However, under the present system, appeals result in hearings *de novo* that effectively void the municipal planning process and decision, and allow the Board to substitute its own process and decision. The Task Force believes that an applicant's rights of appeal should arise only where a Municipal Council makes a clearly improper or unreasonable decision or deprives the parties of their rights to natural justice.

Recommendation:
The Task Force strongly recommends that the OMB process should be a review or true appeal of the municipal planning decision and not an automatic hearing *de novo*. To achieve this, the Task Force recommends that a two stage process be adopted.

At the first stage, the Board would review the planning process and the complaint and determine whether leave to appeal should be granted. Leave to appeal would be granted only if the objecting party establishes to the Board's satisfaction that the Council has acted unreasonably. To make this determination, the Task Force suggests that Board could apply a test such as the following:

> *That no reasonable Council, applying sound planning principles and acting in good faith, could have made the same decision or have failed to make a decision.*

Only if the Board finds that the Municipal Council demonstrably failed to act reasonably could an appeal proceed to the second stage, a hearing *de novo*.

This screening process should greatly reduce the number of appeals by granting proper deference to the municipal planning process and requiring an appellant to demonstrate a substantial error as the basis for appeal. A *de novo* hearing should become an exception, reducing costs to all parties and providing for a more timely resolution of planning matters.

2. Enable Timely Municipal Decisions Based on Complete Information

Most submissions to the Task Force highlighted difficulties related to the 90 day appeal provision in the *Planning Act.* This provision allows an applicant to launch an OMB appeal 90 days after submitting an application, if the municipality has not yet rendered a decision. Stakeholders cited numerous cases where the studies to support a proper planning decision could not possibly be completed in 90 days (e.g. a four-season environmental impact study) or where an applicant provided required studies only a few days before the 90 day deadline. These situations made it impossible for the municipalities or other commenting agencies to review the information before the deadline. Resources have to be diverted from normal business to hastily review last minute submissions. Only the Urban Development Institute and the Greater Toronto Homebuilders were satisfied with the present 90 day rule and felt that abuse of the rule was rare.

If a duly elected Council has the primary responsibility and authority to render well-considered planning decisions for its community, that Council must have sufficient time and reliable information to make such decisions. Based on the consultations, the Task Force believes that the 90 day appeal provision presents a major problem in this regard.

A fundamental problem is the present definition of a "complete" application in the *Planning Act* and regulations. Currently, an applicant need only submit a planning application form and cheque for the application fee to "start the 90 day clock ticking". This definition of "completeness" fails to recognize that an applicant should provide necessary studies and information related to their application in a timely way, to permit municipalities to render an informed planning decision.

Before removing the municipality from the decision-making process and substituting the Board, the municipality should be given a reasonable opportunity to make an informed decision. Based on statistics presented by David Johnson, Chair of the OMB, 75% of appeals are not referred in any case until 150 days after municipal receipt of the application. The Task Force believes it is sensible that an appeal period should not commence until a truly complete application is in the hands of the municipality.

Where an application is submitted with all the information needed to make a decision, municipalities would be able to render a properly considered planning decision within 150 days on most applications. Straight-forward applications may be dealt with more quickly. There will also be complex applications that require a municipal review period of more than 150 days due to the need for extensive public consultation, multi-season studies or peer review of studies.

The Province has seen fit to vest municipalities with land use planning responsibilities. Thus, the starting assumption for the planning appeal system should be that elected Municipal Councils can be trusted to properly fulfill legislative requirements, to act in good faith and to make timely, well-considered planning decisions.

Recommendations:
Therefore the Task Force recommends the following:

- Amend the *Planning Act* to create a definition of "complete application" that includes information and documentation required by a municipality to properly process the application and make an informed decision. The information required to constitute a complete application will include
  1) any requirements of general application contained in municipal planning documents (e.g. Official Plan) and
  2) any other information reasonably required to make a sound planning decision on that specific application.

  A municipality could reject an incomplete application.

- Amend the *Planning Act* to mandate pre-consultation between the municipality and the applicant on all Official Plan amendment applications. Municipalities should provide written confirmation of the information requirements to the applicant within a specified time after the pre-consultation.

- Amend the *Planning Act* to provide that a dispute, in regard to the information required in order to constitute a complete application, could be brought to the Board or arbitrated at any time.

- Give the OMB the jurisdiction and direction to stay any appeal process, including a request for leave to appeal, if it determines that any information required to make a decision has not been made available to the municipality or that the municipality has not had sufficient time to consider such necessary information.

- Establish a time period of 150 days from receipt of a complete application for municipal review and processing of an application. Only after 150 days could leave to appeal a lack of decision be obtained by convincing the Board that the lack of decision is unreasonable (see the test for "reasonableness" proposed on page 8).

3. Support Citizen Participation – Intervenor Funding

All of the stakeholders who presented to the Task Force commented on the obstacles faced by ordinary citizens in participating in the OMB process. Expense, time commitment and legal complexity were repeatedly cited as barriers to citizen participation in the OMB process. Citizen groups often cannot effectively present and defend a public interest at an OMB hearing without legal representation and expert evidence.

The 90 day appeal provision was seen as a means for developers to circumvent public participation. The frequent shift of a hearing into a negotiation of settlement was also noted as sometimes eliminating the public voice from the proceedings.

The Task Force feels that public and third party participation in the OMB hearing process, especially on complex Official Plan and zoning matters, is no longer possible without expert assistance. Creating an intervenor funding mechanism may be the only way to ensure that citizens groups are able to participate on a level playing field with other parties in a *de novo* hearing.

However the Task Force believes the best way to support public participation in planning matters is to make full use of the municipal planning process. That process includes both informal and structured opportunities for public involvement and is geared toward gathering citizen input into such things as Official Plans, secondary plans and zoning changes. Participation is inexpensive for citizens and does not require special expertise. This aspect of the planning process should be made as effective as possible to ensure that balanced plans and good decisions are made at the local level. Public participation should be supported and validated by an OMB process that affords an appropriate respect and deference to the plans developed and decisions made utilizing this public input.

If municipal planning decisions are shown greater deference in the OMB appeal process, as suggested in the previous recommendations, and *de novo* hearings become the exception instead of the rule, the need for intervenor funding as a means to ensure public participation should be significantly reduced.

Recommendation:
The Task Force recommends that the Province establish a program to fund 3rd party public participation in OMB *de novo* hearings with clear criteria defining eligibility. To qualify for funding a citizen's group should:

- be incorporated or appropriately organized to take on the rights and responsibilities of participating in an OMB proceeding
- have participated in the local planning process
- have the ability to raise a portion of the funds required for the appeal process.

In addition, to qualify for funding, the case in which the group wishes to participate should involve issues of broad public or provincial interest (e.g. protection of environment, affordable housing or farmland). The province should allocate an amount annually to support intervenor funding, possibly supplemented with a small surcharge on development applications, and set a cap on the amount available to a single group. The government may wish to specify how funding could be used (e.g. to retain legal counsel).

4. Promote an Independent and Fair Tribunal

The Task Force feels that generally the OMB members are well qualified and discharge their duty effectively. While statistics presented to the Task Force do not support the notion that the OMB is "a captured agency" in terms of its decisions, there is definitely a public perception that the Board and the appeal process, as currently structured, favour developers.

Recommendation:
The Task Force believes that several changes could be made to enhance both the reality and the perception of the Board as an impartial and fair arbiter. It is therefore recommended that:

- The term of appointment be increased to 6 years
- A job description, outlining the qualifications and expertise required of Board Members, be developed and used in the selection process
- An open process be adopted for soliciting qualified applicants
- A non-partisan, multi-stakeholder screening committee be created to interview and recommend to Cabinet candidates for appointment or reappointment
- A more open performance evaluation process for Board Members be implemented.

If the all the Task Force recommendations are implemented, the Province may find that fewer Board members are needed as the incidence of appeals and hearings should be significantly reduced.

CONCLUSION

In summary, the Task Force feels that if implemented, the recommendations above will substantially address the criticism of the current planning appeal process that was documented in our consultations.

By updating the role of the OMB to make it primarily a review body, with a specific standard of review to guide it, the number of hearings should be significantly reduced, lowering the costs for all parties. The continued availability of a *de novo* hearing in the case of egregious error offers an incentive for municipalities to make sure they conduct themselves properly in planning matters. It also offers applicants and appellants recourse if a serious mistake occurs.

However, the starting assumption must be that Municipal Councils properly fulfill their legislated duty and responsibility to make good planning decisions for their communities. Official Plans and zoning bylaws are a result of the community input process mandated in the *Planning Act*. The OMB must not intervene to assume decision-making authority unless such intervention is demonstrably justifiable. This is essential to build citizen confidence in the process and will provide greater certainty for the development industry. If every planning decision of a Municipal Council can be challenged, then that confidence and certainty does not exist. The planning process loses credibility and the Municipal Council is considered ineffectual on planning matters.

Municipal Councils must also live up to their plans in order to provide this certainty. Without the palpable threat of a full OMB hearing hovering over each planning decision, a Council's resolve to stand by their plan should be enhanced. With the system proposed, where a mistake is the basis for an appeal, municipalities will have added incentive to make sure their process is solid, that public input is widely sought and well reflected in their reports and decisions. This public input will be acquired in a setting which is much more informal and accessible than an OMB hearing.

The "justified appeal" process recommended by the Task Force gives greater weight to both the local planning process and the public input that are part of that process. Documentation of both would be examined during the review stage of the two step process the Task Force has proposed. By reducing the incidence of appeals, costs should be reduced for all parties. Providing intervenor funding for exceptional cases that do warrant the full hearing *de novo*, due to some grave error, would ensure that effective participation by citizens in the more complex process can occur.

While the OMB may never enjoy public popularity, its credibility as an impartial arbiter on important issues rests in part on a public perception of fairness and independence. The current 3 year terms for Board members, the political appointment process, a real or imagined association with a business-oriented government and the barriers to citizen participation have somewhat tarnished the public reputation of the Board. Revisions to the selection, appointment and tenure of Board members, as well as regular performance evaluation, would help considerably in achieving both the factual and perceptual independence critical for a quasi-judicial body.

Various stakeholders expressed the desire for greater clarity and direction from the Province within planning legislation and the Provincial Policy Statement (PPS). The Task Force agreed that the vagueness of the current PPS and the "have regard for" provision of the *Planning Act* are problematic. A key theme of John Chipman's study[2] of the OMB is that the Board developed and applied its own planning policy in the absence of clear provincial policy direction. Clearer provincial policy should strongly support municipal Official Plans and the municipal role in delivering land use planning at the local level. Since a review of the Provincial Policy Statement is currently underway and municipalities have been active participants in that process, the Task Force decided to confine its recommendations to the planning appeal process. However the Task Force encourages the Province to expeditiously resolve these broader planning framework issues through the PPS review process.

The GTA Task Force on OMB Reform has developed these recommendations with the objectives of resolving some specific issues and improving the planning appeal process for all involved. We hope our municipal colleagues will see fit to endorse these recommendations and that the Province will act upon them.

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[2] Chipman, John G. 2002. *A Law Unto Itself* Toronto:The Institute of Public Administration of Canada, University of Toronto Press.

ATTACHMENT 1

GTA TASK FORCE ON OMB REFORM

Membership List

Chair: Roger Anderson
Chair, Region of Durham

Members:

Andrew Allison
Senior Solicitor
Region of Durham

Frank D'Amico
Councillor
City of Hamilton

Alex Georgieff
Commissioner of Planning
Region of Durham

Paul Mallard
Manager, Development Planning
Planning & Development Department
City of Hamilton

Gary Muller
Senior Planner
Planning & Development
Town of Ajax

Patrick O'Connor
Director of Legal Services
Region of Peel

Arvin Prasad
Director of Planning Policy and Research
Planning Department
Region of Peel

Nancy L. Smith
Assistant Corporate Counsel
City of Hamilton

William F. Bell
Mayor
Town of Richmond Hill

Kevin Daniel Flynn
Regional Councillor
Ward 1 - Oakville
Region of Halton

Mark Holland
City/Regional Councillor
City of Pickering

Howard Moscoe
Councillor
City of Toronto

Ann Mulvale
Mayor
Town of Oakville (alternate)

Steve Parish
Mayor
Town of Ajax

Don Sinclair
Director, Development Law
Corporate & Legal Services Department
Region of York

Staff Technical Support:

Debi Bently
Deputy Clerk
Clerk's Department
Region of Durham

Stan Floras
Assistant Corporate Counsel
Legal Services
Region of Halton

Jody Wellings
Manager of Current Planning
Planning & Transportation Services
Region of Halton

Christine Drimmie
Policy & Research Advisor
Regional Chair & CAO's Office
Region of Durham

Lino Trombino
Planner
Planning Department
Region of Durham

Kai Yew
Manager, Plan Implementation
Planning Department
Region of Durham

ATTACHMENT 2

GTA TASK FORCE ON OMB REFORM
Terms of Reference
(Revised @20020916)

In response to a motion from the City of Mississauga, the Region of Durham Council instructed Chair Roger Anderson to invite GTA municipalities to form a task force on the Ontario Municipal Board (OMB).

OBJECTIVE
The purpose of the task force is to review the mandate, purpose and function of the OMB, the OMB appeal process and related matters and make recommendations for its reform to the local and regional governments within the 905/705/416 areas and Minister of Municipal Affairs and Housing and the Attorney General.

DELIVERABLE
Report on Recommendations for Reform of the Ontario Municipal Board, endorsed by GTA Municipal Councils.

RESOURCE COMMITMENT
Time of Councillors and staff to attend several meetings; to research, read, review materials, prepare comments and suggestions; undertake tasks as assigned including consultations with invited stakeholders, research or writing; Council review of the resulting report.

OPERATING PRINCIPLES FOR TASK FORCE
- Members of the Task Force are asked to participate as equals, based on their expertise with OMB issues, not as representatives of their municipality.
- Decision-making will be based on consensus.
- Task Force minutes will be recorded and distributed by staff of the Clerk's Department, Region of Durham.
- Meetings to be open to public.

REPORTING
Members of the Task Force will be responsible for making information on the activities of the Task Force available to their respective Councils.

APPROVAL PROCESS & DISTRIBUTION
Final report will be sent to Councils in the GTA for their endorsement. Councils are asked to send notice of their endorsement to the Task Force. The Task Force will then submit the endorsed report to the Minister of Municipal Affairs and Housing and the Attorney General, the Opposition parties and AMO. Copies of the report could also be sent to the Red Tape Commission and the Central Ontario Smart Growth Panel.

EVALUATION OF PROGRESS AND IMPACT OF FINAL PRODUCT
- Check at the end of each meeting that the tasks are on target.
- Monitor changes to OMB legislation, Planning Act etc. that reflect the suggestions of the Task Force. Follow up with Ministers.

ATTACHMENT 3

Stakeholders and Sources consulted by the Task Force in the preparation of this report:

MUNICIPAL RESOLUTIONS AND REPORTS RECEIVED BY TASK FORCE

Aurora – Sept. 24, 2002
Burlington – Mar. 18, 2002
Caledon – Sept. 21, 2001
Durham Region – June 19, 2002
Halton Hills – Oct. 2001
Halton Region – June 19, 2002
Mississauga – May 8, 2002
Oakville – April 2, 2002
Oshawa – Sept. 9, 2002
Ottawa – June 26, 2002
Peel Region – Aug. 8, 2002
Pickering – Feb. 4, 2002
Toronto – May 23, 2002
Whitchurch-Stouffville – Oct.15, 2002

STAKEHOLDER PRESENTATIONS TO GTA TASK FORCE:

Dr. John Chipman – Jan. 20, 2003
Greater Toronto Homebuilders Association – Jan. 20, 2003
Joshua Creek Ratepayers Association Inc. – Jan. 13, 2003
New Democratic Party (Ontario), Michael Prue - Feb. 3, 2003
Oakvillegreen – Jan.13, 2003
Ontario Liberal Party, David Caplan - Feb. 3, 2003
Ontario Municipal Board, Chair, David Johnson – Feb. 3, 2003
Pickering East Shore Community Association – Jan. 20, 2003
John Sewell – Jan. 13, 2003
Toronto Region Conservation Authority - Jan. 20, 2003
Urban Development Institute (Ontario and Peel Chapter) - Jan. 20, 2003

OTHER REPORTS CONSULTED:

Greater Toronto Services Board, Countryside and Environment Working Group – Oct.5, 2001
Ontario Association of Chief Planning Officials (OACPO) – 1999 report to OMB
Ontario Professional Planners Institute Report and Recommendations – Feb. 25, 2002
Chipman, John G. 2002. *A Law Unto Itself* Toronto: The Institute of Public Administration of Canada, University of Toronto Press
Joint Recommendations - Ontario Municipal Board Process and Procedures – AMO,OPPI, Toronto Board of Trade, GTHBA, UDI, Feb. 20, 2003
Ontario Municipal Board Annual Report 1998-2000
OMB – Your Guide to the Ontario Municipal Board – Dec.2000

GTA Task Force on OMB Reform

SUMMARY OF CONSULTATION AND SUBMISSION RECOMMENDATIONS

ATTACHMENT 4

ISSUES IDENTIFED	RECOMMENDATIONS MADE	BY WHOM
Role and Jurisdiction of OMB		
▪ Mandate/Scope of Board ▪ Nature of Appeals heard	Disband/abolish OMB	Sewell, Pickering, Joshua Creek
▪ Nature of Hearings held	Use divisional court for appeals on egregious errors	Sewell
	Eliminate OMB planning appeal role and strengthen municipal planning process to cover any outstanding quasi-judicial needs.	Chipman, TRCA
	Create a local appeal mechanism within planning process	Toronto, Ottawa, Sewell, Chipman, Liberals
	Put Cabinet back as an appeal body.	Joshua Creek
	Province should review OMB role and function and include consultation with public and municipalities	GTSB, Halton Hills, Mississauga, Aurora, Caledon, Burlington, Halton, Durham, Oshawa, Liberals, NDP
	Province should review Planning Act, OMB Act re: appeal process and role of OMB	Whitchurch-Stouffville, Sewell, Toronto
	AMO should apply pressure on behalf of Ontario municipalities to dissolve or radically alter the OMB's role	Burlington, Caledon, Halton, Halton Hills,
	Retain OMB with current mandate and role	OPPI, UDI, GTBHA
	Retain board but drastically overhaul it	Liberals
	Change/ reduce OMB role to an inter-municipal dispute resolution body only	Chipman, PESCA
	Change /reduce mandate of OMB to eliminate "minor" issues	Liberals, NDP

ISSUES IDENTIFED	**RECOMMENDATIONS MADE**	**BY WHOM**
▪ Screening Mechanism/Gatekeeper	Eliminate appeals of approved Official Plans, policy decisions on growth, land use	Caledon, Mississauga, Durham, Oakville, Oshawa
	Developer should not be allowed to appeal an urban boundary	Joshua Creek
	Restrict OMB role in review of municipal policy decisions to a review of the quality of the planning process	Caledon, Oakville
	Limit role of OMB to planning issues that have broad public interest	Liberals
	Set strict, narrow grounds for appeal	PESCA, Joshua Creek, Chipman, NDP
	Need clear jurisdictional guidelines for OMB	Liberals
	Have a subcommittee that screens cases requesting appeal and make appeals the exception rather than the rule	PESCA
▪ Burden of Proof	Increase burden of proof required of appellants before hearing granted	Sewell, OACPO
	Where no clear provincial interest is defined, should have less costly, local alternative forum for dispute resolution	Toronto, Ottawa
Process Abuses/Complaints		
▪ 90 day appeal period is an unrealistic processing timeframe for municipalities	Change appeal period to 90 days from receipt of all required information	Liberals, TRCA
	Change to a 180 day process with all municipal documentation requirements to be met within 1st 90 days or applicant must reapply.	NDP
	Amend Planning Act to allow for more realistic timeframes based on application type	Toronto, Oakvillegreen, TRCA

ISSUES IDENTIFED	**RECOMMENDATIONS MADE**	**BY WHOM**
	Amend Planning Act to enable municipality to detail information required for their review to constitute a complete application	OACPO, TRCA
	If Planning Act changed (previous recommendation), municipalities should define "complete application" in Official Plan or their application procedures	Ottawa
	OMB should change procedure to not deal with 90 day appeals where information required for municipal review has not been provided in timely way and apply case management techniques	Toronto, Ottawa, OACPO, OPPI
▪ 90 day provision used to circumvent public input	Don't allow piggy-back appeals	TRCA
▪ Appeal process can be used either to delay or speed up planning process	OMB needs to further improve administrative practices and procedures	OPPI, Halton, Joshua Creek, PESCA. GTHBA, Whitchurch-Stouffville
	Don't allow site-specific "strategic" appeals by developers seeking to have a future proposal considered under existing rules in a municipality where a planning policy review is about to begin.	TRCA
	Improve pre-hearing process, reduce appeal times and costs by using mediation and dispute resolution	OPPI, Toronto, TRCA, OACPO, Whitchurch-Stouffville
	Pilot use of pre-hearing to agree to information requirements to agree to timelines	OMB
	Mandatory mediation should be required for certain types of applications	OPPI
▪ Hearing process	Increase routine use of pre-hearing mediation	UDI, GTHBA, Toronto, OAPCO
	Develop mediation protocol	OMB
	Hearings should be true review, not "de novo" process	PESCA

ISSUES IDENTIFED	RECOMMENDATIONS MADE	BY WHOM
	OMB should review its own practices and procedures	Ottawa, Whitchurch-Stouffville
Cost of Municipal, Agency Participation		
▪ Deters public and municipal participation	Reduce costs by improving administrative process	UDI, GTHBA, Toronto, TRCA
▪ Threat of potential OMB costs affects municipal planning decisions	Make appeals the exception, not the rule	PESCA
	Enact consequences for threatening with OMB appeal.	Joshua Creek
▪ Diverts scarce municipal and commenting agency resources from other planning needs and local expenditure priorities	Increase amount of time for application review by municipalities and commenting agencies	TRCA, GTSB, Mississauga, Durham, Oshawa
	Require a complete application before review period clock is started	TRCA, GTSB, Mississauga, Durham, Oshawa
	Require appellant to indemnify commenting agency for costs involved, especially in tight timeline situation	TRCA
▪ Double costs to municipalities first for planning process with public input then to defend plan at OMB.	Reduce costs by strictly limiting what can be appealed	Caledon, Oakville, Pickering, Aurora
	Reduce cost and duplication having review rather than "de novo" hearing	Oshawa, Chipman

ISSUES IDENTIFED	**RECOMMENDATIONS MADE**	**BY WHOM**
Barriers to Public Participation		
▪ Legalistic nature of process	Create a separate more informal part of OMB hearing process to obtain greater citizen input	UDI, GTHBA, OPPI
	Review prehearing practices to create greater involvement by all stakeholders in an appeal	OPPI, UDI
	Assign case officer to assist citizen groups in understanding the process	Joshua Creek
	Clearer citizen's guidebook to OMB procedures is needed	OPPI, OACPO, OMB
▪ Timing of hearings	Hold some hearings in evenings	Joshua Creek, Oakvillegreen, PESCA
▪ Notification process	Increase notification time, geographic area and modes of communication	Oakvillegreen
	Allow audio/video recordings of hearings	Oakvillegreen, Joshua Creek
▪ 90 Day appeal reduces public input opportunities	Increase pre-hearing notification to public	Joshua Creek
	OMB should exercise its right to dismiss appeals where grounds for appeal are weak, where local public process being avoided	TRCA
▪ Intervenor funding	Provide intervenor funding to citizen 3rd parties, participants	PESCA, Oakvillegreen, NDP
	Finance intervenor funding from hearing costs paid by developers	Joshua Creek, TRCA
▪ De novo hearing ignores any previous public input	Make hearing a true review, not "de novo" process	PESCA, TRCA
▪ 3rd Parties stigmatized by Board	Citizen opinion and written citizen statements should be given	Oakvillegreen,

ISSUES IDENTIFED	**RECOMMENDATIONS MADE**	**BY WHOM**
	more weight by board	Joshua Creek
Credibility/Impartiality of OMB		
- Method and duration of OMB appointments is flawed; need to enhance the Board's independence	Request Attorney General to review OMB appointment procedures Establish professional qualifications for Board members Increase tenure of appointment (5 to 10 years) Increase remuneration to attract qualified candidate, to reflect scope of responsibilities Create transparent, impartial selection/appointment process *(most groups listed mentioned multiple aspects of the appointment process)*	OPPI, GTHBA, UDI, Sewell, Whitchurch StouffvilleHalton, Burlington, Oakville, Oshawa, Oakvillegreen, Joshua Creek, Liberals, NDP
	Have AMO comment on/vet OMB member selection	NDP
- Competence, expertise, impartiality of Board members questioned	Increase training for Board members	Toronto
	Institute performance reviews by impartial panel	Whitchurch-Stouffville, Oakvillegreen
	Create multi-stakeholder panel to annually review OMB member performance against specific parameters and publicly report	Liberals
	Create stronger integrity/conflict guidelines for members	Pickering
Planning Policy Framework		
- Strength of provincial legislation and policy framework	Provide clearer provincial planning legislation and policy statements as framework for planning decisions	Sewell, TRCA
	Provincial Policy Statements should give clear direction on issues like environment, transit, affordable housing, farmland	Liberals, NDP
	Amend Planning Act to require "consistency with PPS" rather than "regard for"	Liberals, NDP

ISSUES IDENTIFED	RECOMMENDATIONS MADE	BY WHOM
- Weight of official plans in OMB appeal process	Province should provide clearer guidelines on interpretation, implementation of Provincial interest provisions	Toronto, Sewell, TRCA
	Increase Board's deference to Official Plans and municipal planning process and decisions	Oakville, Mississauga, Durham, Pickering, Oshawa, PESCA. Aurora, Burlington, Oakvillegreen, Liberals, NDP
Value Added of OMB Appeal Process		
- No "performance measurement" of OMB, no evaluation that shows OMB improves planning outcomes	Detailed Review/assessment of OMB role, process and results should be conducted every 10 years	Sewell
	Role of OMB should be reviewed as part of the review of the Provincial Policy Statement	Caledon, Oakville, Halton Hills
	Determine whether OMB decisions are significantly better than planning decisions made by Councils	Halton Hills, Caledon
- No other Province or State has an OMB type appeal body	Abolish OMB or eliminate planning appeal function	Sewell, Chipman
	Review of OMB should consider process used in other Canadian jurisdictions	Oshawa
- Credibility of planning process and Official Plans undermined	Increase Board's deference to Official Plans, municipal planning process and decisions.	Oakville, Mississauga, Durham, Pickering, Oshawa, PESCA. Aurora, Burlington, Oakvillegreen, Liberals, NDP
- Difficult to promote or protect innovative planning at the OMB	OMB needs flexibility to incorporate new ideas (i.e. Smart Growth) into their decisions.	Oakvillegreen

ISSUES IDENTIFED	RECOMMENDATIONS MADE	BY WHOM
▪ Hearing focus is very site-specific; broader issues, cumulative impacts often not considered	Need stronger policy statements at the Provincial level to require greater attention to cumulative impacts on environment.	TRCA
OTHER ISSUES		
▪ Developer influence in political process	Amend municipal election legislation to eliminate developer funding of political candidates.	Joshua Creek
▪ Some OMB decisions display "US style" of regard to private property rights which has little basis in Canadian law.	OMB should have more regard to applicable laws, Provincial policy.	Joshua Creek

Municipalities that requested or supported creation of a municipal committee or task force to make recommendations on reform of the OMB by Council resolution:

Burlington
Caledon
Durham
Halton
Halton Hills
Oakville
Oshawa
Ottawa
Peel
Pickering
Toronto

Acronyms used in chart:
AMO=Association of Municipalities of Ontario
GTBHA= Greater Toronto Home Builders Association
GTSB= Greater Toronto Services Board
NDP=New Democratic Party (Ontario)
OACPO= Ontario Association of Chief Planning Officials
OMB=Ontario Municipal Board
OPPI= Ontario Professional Planners Institute
PESCA= Pickering East Shore Community Association
TRCA=Toronto Region Conservation Authority
UDI – Urban Development Institute

CITY WIDE IMPLICATIONS

CITY OF HAMILTON

7.3

CORPORATE SERVICES DEPARTMENT
Information Technology Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Joseph L. Rinaldo, General Manager
Date:	March 17, 2003	**Prepared by:**	Louis Shallal 546-2251

SUBJECT: **PeopleSoft Enterprise Portal & PeopleSoft Maintenance Agreement (City Wide) - FCS03062**

RECOMMENDATION:

1. That Council approve the acquisition and installation of the PeopleSoft Enterprise Portal at a cost of $318,800 plus applicable taxes and that this cost be funded from the existing I.T. Transitional capital project #2110157007; and

2. That Council approve a new 5 year maintenance contract of all acquired PeopleSoft modules to date with an annual increase of 4.45% over the current 2003 maintenance costs of $375,000 plus applicable taxes.

fr/ Joseph L. Rinaldo, General Manager
Corporate Services

EXECUTIVE SUMMARY:

PeopleSoft was one of the important business applications examined in the context of the Hamilton Information Technology Strategy (HITS). This Strategy which was completed recently has confirmed the critical importance and the high corporate priority of the PeopleSoft System for the City of Hamilton. The Strategy, in fact, developed an applications integration vision which puts PeopleSoft in the centre of the vision and all other major corporate systems interfacing with PeopleSoft to enable city-wide access to these systems and to facilitate the production of executive and management reports.

The City has invested heavily in its PeopleSoft system because it is the primary business system for its finance and human resources activities. Many modules were acquired by the City when this software was acquired in 1998 at a cost of $1,843,000. A 5 year maintenance agreement was entered into and was prepaid to save on interest costs. The annual maintenance paid is approximately $375,000. The agreement expires in June 2003.

Staff examined the existing modules and the priority needs of the corporation as delineated by the Hamilton Information Technology Strategy. Furthermore, staff examined the need for continuing to pay maintenance fees for a number of modules that are no longer corporate priorities in accordance with the Strategy. Staff also reviewed the current PeopleSoft Upgrade project and concluded that the PeopleSoft Budget module (which was to be rolled out as part of the Upgrade project) should be deferred due to lack of staff resources in the financial area. It became evident from these reviews that the "Enterprise Portal" module (which was not available at the time the PeopleSoft software was purchased) is urgently needed by the City. The need is for both the city portal to deliver e-government services as well as for the Connect Hamilton-Create Community (CHCC) project to deliver community services. The CHCC project has already been submitted to the Province for grants under the Connect Ontario program.

Staff compared the cost of the enterprise portal to those provided by other vendors who submitted proposals to an RFI issued by Hamilton Connects on behalf of all partners. Staff concluded that the cost of the PeopleSoft Enterprise Portal software was in line with those provided by ten other vendors that responded to the RFI. Staff then negotiated with PeopleSoft a purchase price for the Enterprise Portal which included the Enterprise Performance Module (which is also needed by the City). The purchase price was also leveraged at the same time to obtain a new maintenance contract that would limit the increase in costs over the next 5 years to 5% from the current annual costs.

BACKGROUND:

Importance of PeopleSoft to City. PeopleSoft was one of the main business applications examined in the context of the Hamilton Information Technology Strategy (HITS). This Strategy which was completed recently has confirmed the critical importance and the high corporate priority of the PeopleSoft System for the City of Hamilton. The Strategy, in fact, developed an applications integration vision which puts PeopleSoft in the centre of the vision and all other major corporate systems interfacing with PeopleSoft to enable the production of executive and management reports.

PeopleSoft is the primary Business System for the City of Hamilton. The City has made significant investment in this system including:

- Licensing costs
- Implementation costs
- Maintenance and upgrade costs
- Staff support costs and
- Training and development costs.

Furthermore, most financial and Human Resources activities of the City are dependent on the effective use and deployment of this system. Additionally, the major systems in the operating departments need to interact/interface with the PeopleSoft systems.

The City has invested in PeopleSoft because it is the primary business system for its finance and human resources activities. Many modules were obtained by the City when this software was acquired in 1998 at a cost of $1,843,000. A 5 year maintenance agreement was entered into and was prepaid to save on interest costs. The agreement expires in June 2003. The prepayment amount was charged to reserves and has been included each year in the IT Services Division's operating budget since 1999. The annual maintenance cost for the PeopleSoft modules has been approximately $375,000.

The PeopleSoft Upgrade. Like most other systems, the PeopleSoft system has to be upgraded frequently to make use of the best technological advances and to bring its HR and financial functionality up to date. Recently, the City decided to upgrade to Version 8.0 which is a web-based version. Staff reported on this upgrade in the information report of July 11, 2002. In that report, staff indicated that Council had approved a capital budget of $2.6 million in 2001 for the PeopleSoft Upgrade project. This budget was to cover not only the upgrade, but a number of hardware and software costs associated with the PeopleSoft Version 8 system.

The PeopleSoft Upgrade project was to be undertaken in 3 phases. Phase I – a technical upgrade of HR and Financial systems was completed in December, 2002. Phase II – the implementation of new employee self-serve and e-applications which is currently underway and which will be completed in early summer 2003. Phase III was to convert the current budget process to PeopleSoft Budgeting Version 8.8.

For a variety of reasons, and particularly due to limited staff resources in the financial area to undertake the budget conversion process, staff recommended and CMT approved that Phase III of the Upgrade project be deferred.

The need for an Enterprise Portal. Staff examined the existing PeopleSoft modules and the priority needs of the corporation as delineated by the Hamilton Information Technology Strategy. Furthermore, staff examined the need for continuing to pay maintenance fees for a number of modules that are no longer corporate priorities in accordance with the Strategy. It became evident from these reviews that the "Enterprise Portal" module (which was not available at the time the PeopleSoft software was purchased) is urgently needed by the City. The need is for both the city portal to deliver e-government services as well as for the Connect Hamilton-Create Community (CHCC) project to deliver community services. The CHCC project has already been submitted to the Province for grants under the Connect Ontario program. Furthermore, the PeopleSoft enterprise portal will enable the City to leverage the investment already made in upgrading the HR and financial systems to PeopleSoft version 8 which is a web-based version.

The City portal will enable the development and delivery of online web applications for e-government services and specifically for:

- General information access – By organizing and presenting information from the City departments and from the upper levels of government to residents and businesses in a convenient and easily accessible format via the City portal. Examples include, where to get a permit for a business, points of interest, who to contact if a wallet is lost, and life events information such as birth registration, death notice, marriage licenses, etc.

- Transaction and e-commerce – By providing another channel by which residents will be able to transact with and do business with their local government. This will be a very important part of maintaining a positive connection between residents and government in a municipality as widespread as the City of Hamilton. Examples include parking ticket payment, building permit, pet licensing, customer service requests, recreational program registration and facilities booking, etc.

- Participation and e-democracy – By enabling the connection between residents and their municipal government in the exercise of democracy including the use of web casting to engage the public in the consultative process on city programs, projects and services. Examples include virtual town hall meetings on specific proposals, virtual open house for specific projects affecting a given community and specifically enabling residents to write back to staff or elected representatives on their concerns directly from a given web content.

Hamilton Connects RFI Results. Staff compared the cost of the PeopleSoft portal to those provided by other vendors who submitted proposals in response to an RFI issued by Hamilton Connects on behalf of all partners. Staff concluded that the cost of the PeopleSoft Enterprise Portal software was in line with those provided by ten other vendors that responded to the RFI. At the same time, and with the imminent budget pressures of a new 5 year contract with PeopleSoft looming, staff proceeded to discuss with PeopleSoft the possibility of acquiring the Enterprise Portal.

Advantages of the negotiated contract. Staff negotiated with PeopleSoft a purchase price (subject to Council approval) for the Enterprise Portal that was leveraged at the same time to obtain a new 5 years maintenance contract that would limit the increase in these costs to 4.45% from the current costs. Staff believe that the City has the following to gain from the negotiated contract which is subject to Council approval:

1. Use of scarce corporate financial resources to acquire a high corporate priority project (enterprise portal) and defer other projects which are not a corporate priority at this time (budget conversion model).
2. Leverage the portal acquisitions opportunity to negotiate a new 5 year maintenance agreement that will limit the increase in overall PeopleSoft maintenance costs at 5% of he current 2003 levels. Without this negotiated contract, annual maintenance costs are expected to increase by at least 10% per year.
3. Renew, retain and add only those PeopleSoft modules that are required by the corporation to accomplish its 5 year vision for IT and its operating needs. In essence, this enables the City to replace maintenance costs of already acquired but not enabled or rolled out software with those now having greater priority.

4. Revise the PeopleSoft maintenance contract so as to eliminate existing financial risks in the wording of the existing contract which was signed 5 years ago.
5. As part of the acquisition of the Enterprise Portal module, staff also negotiated an EPM (Enterprise Performance Management) module at no extra cost to the City. PeopleSoft's motivation in offering this module to us is to use us as a show case to other areas who may be contemplating EPM type software acquisition.
6. Staff have already included the amount of $75,000 in the 2003 budget reductions. This amount was accepted as a reduction when Council approved the 2003 budget. The negotiated contract would ensure that this annual budget reduction remains in effect for the next five years after the current maintenance agreement expires.

It is on the basis of the above benefits to the City that staff made recommendation 2 calling not only for the enterprise portal acquisition but also for approval to enter into a new 5 year plan at no more than 4.45% interest for support and maintenance.

It must be emphasized that the recommendation to acquire the PeopleSoft portal does not preclude acquiring third party products and services that will be placed on the portal to deliver such services as online parking ticket payment; program registrations; intelligent forms; licence and permits and a host of other e-Government services. The PeopleSoft portal will provide the framework and be the engine upon which these e-Government services will be added as options. This will truly enable the City to acquire best of breed software and applications as front end and tie them to the application back end using a powerful “Integration Broker”, an integration tool which is part and parcel of the PeopleSoft portal engine. The vision for IT applications in the City is depicted in Appendix ‘A’. Approval of staff's recommendation to acquire the PeopleSoft Enterprise Portal will pave the way to accomplishing this corporate application vision over the years to come.

It should be noted that Hamilton is not the first to acquire the PeopleSoft Enterprise Portal. This portal is in fact part and parcel of the solution being implemented in the cities of Windsor and Winnipeg. We plan to interact heavily with these cities as we collaborate for successful implementation of our Portal. To the best knowledge of staff, no other PeopleSoft client has received such a financially attractive offer as the one described above.

ANALYSIS OF ALTERNATIVES:

Two alternatives are available. The first is not to acquire the PeopleSoft Enterprise Portal. This will delay the implementation of the e-government services program as well as the Connect Hamilton – Create Community project. Furthermore, because the negotiated contract was on the premise of acquiring a new software module and removing (replacing) from maintenance costs other modules, the increase in maintenance costs is likely to be about 10% annually creating the budget pressures which the negotiated contract was attempting to control. The advantage of this alternative is that we start from the beginning and issue another RFI/RFP to strictly deal with the portal needs of the e-government program and the CHCC project without linking it to the PeopleSoft maintenance issue and the modules of PeopleSoft that we currently have. Other vendors and consultants who participated in the previous RFI and even those who have not participated will likely prefer us to go along this alternative. On the other hand, this alternative may not result with an effective integration of our city corporate applications as depicted in the vision shown in Appendix A. More importantly, this alternative will also not attain the advantages to the City of Hamilton indicated earlier.

The second alternative is to acquire the PeopleSoft Enterprise Portal as recommended in this report in order to realize the advantages described earlier. Within this alternative there is also the option of pre-paid maintenance which staff have examined but are not recommending. Council should be aware that PeopleSoft is prepared to enter into another 5 year pre-paid maintenance agreement with no annual increase from existing maintenance costs. Such pre-payment, would be funded from reserves and recovered through annual operating costs incorporated into the IT Services Division budget as is currently the case. Staff are not recommending this option as it will place further pressures on our existing reserves.

In evaluating the above two alternatives staff reflected on the applications vision for IT as depicted in Appendix A. Investment in the PeopleSoft business system should be made in the context of the implementation of the Corporate IT Strategy. The success of PeopleSoft in delivering the critical services to Council, the public and to staff is dependent on the success in implementing the high priority recommendations of the IT Strategy. The critical success factors for the IT strategy implementation and, in turn, PeopleSoft enhancements such as the Enterprise Portal, include:

- Commitment and support from Council, senior management and staff from all departments
- Effective communication of the IT strategy and the PeopleSoft system to staff
- On-going assessment of IT performance relative to the 3 year plan
- Continuous review and update of the IT strategy and its components.

The City of Hamilton is at a crossroads. The IT Strategy has clearly identified two destinations. The first is the Status Quo. On the surface this path may appear to be a low cost option since IT costs are currently not traced effectively and appropriately to individual departmental projects and initiatives. This path will also continue to marginalize the role of IT in accomplishing corporate goals and objectives. Aside from continuing the silos throughout the organization, this path will result in Hamilton remaining at the low end of the transformation that is happening to municipal governments in Ontario, Canada and the World. This path, in the long run will cost us more and will delay the economic recovery of the City due to lack of effective deployment and use of technology. Along this path, PeopleSoft will continue as one of many corporate applications, however, departments will continue their silo approach to acquiring and deploying new technology. Without portal integration capabilities, this path will continue to frustrate management and Council because they would not be able to obtain linked information from multiple applications.

The other path has been clearly delineated by the IT strategy. It involves a vision of where IT will be in the coming years and how it will be deployed to serve the operating departments and in turn to put the City of Hamilton among the forward thinking municipalities in terms of leveraging IT to accomplish Council goals. In the long run, this path will be better, faster and cheaper. PeopleSoft investment is a corner stone of this strategy and this path. Many of the online services described earlier will not be possible without the enterprise portal. The Enterprise Portal is a fundamental pillar for the accomplishment of the IT Vision. Appendix 'A' clearly illustrates this application integration need.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The recommendations above will require expenditure to be funded from the existing I.T. Transitional capital project #2110157007. This account which was to create the so-called "Common Front End" as a concept is now much better manifested in a specific enterprise portal project.

It should be noted that the Connect Hamilton-Create Community (CHCC) Project which is being submitted to the Province under Connect Ontario already contains an amount of just over $200,000 made up of approximately $85,000 for the capital acquisition of the Enterprise and $124,000 for two year maintenance of the Portal. However, until the Province approves the CHCC project, no adjustments were made for the funding of the enterprise portal.

The 5 year PeopleSoft maintenance agreement will require a 4.45% annual increase in the annual charges to the IT Service Division operating budget.

Alternatively, should Council decide on the option of a pre-paid 5 year PeopleSoft maintenance agreement, the pre-payment will be charged to the City's balance sheet (prepaid charges) and the amount plus applicable interest recovered through annual charges to the IT Service Division operating budget.

POLICIES AFFECTING PROPOSAL:

None.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

The City of Hamilton has been an active partner and sponsor of the Connect Hamilton – Create Community (CHCC) project. This project is the community of Hamilton's proposal to the Province as part of its Connect Ontario initiative. The City played a leadership role in both the Notice of Intent to the Province as well as in the development of the Business Plan for the Infrastructure Proposal and GeoSmart.

The Hamilton Information Technology Strategy (HITS) has also indicated that two of the corporate priorities for IT involve the development of e-Government initiatives and

Geographic Information Systems initiatives. These City priorities mirror the Connect Ontario and GeoSmart submissions respectively.

The PeopleSoft Enterprise Portal is the tool needed to accomplish the above objectives of the CHCC project and HITS.

It should be noted that the IT strategy and the Connect Hamilton – Create Community project are so inextricably intertwined, that input from one was extensively used to guide the other. For this reason, an RFI which was issued by the Connect Hamilton – Create Community project and the responses from the consulting and vendor industry to the RFI were used to formulate the staff recommendation for an enterprise portal. Staff are recommending the acquisition of the PeopleSoft enterprise portal to help accomplish both the development of the Community Portal required under the Connect Hamilton – Create Community project as well as the portal required for the City to deliver its e-Government initiative.

CITY STRATEGIC COMMITMENT:

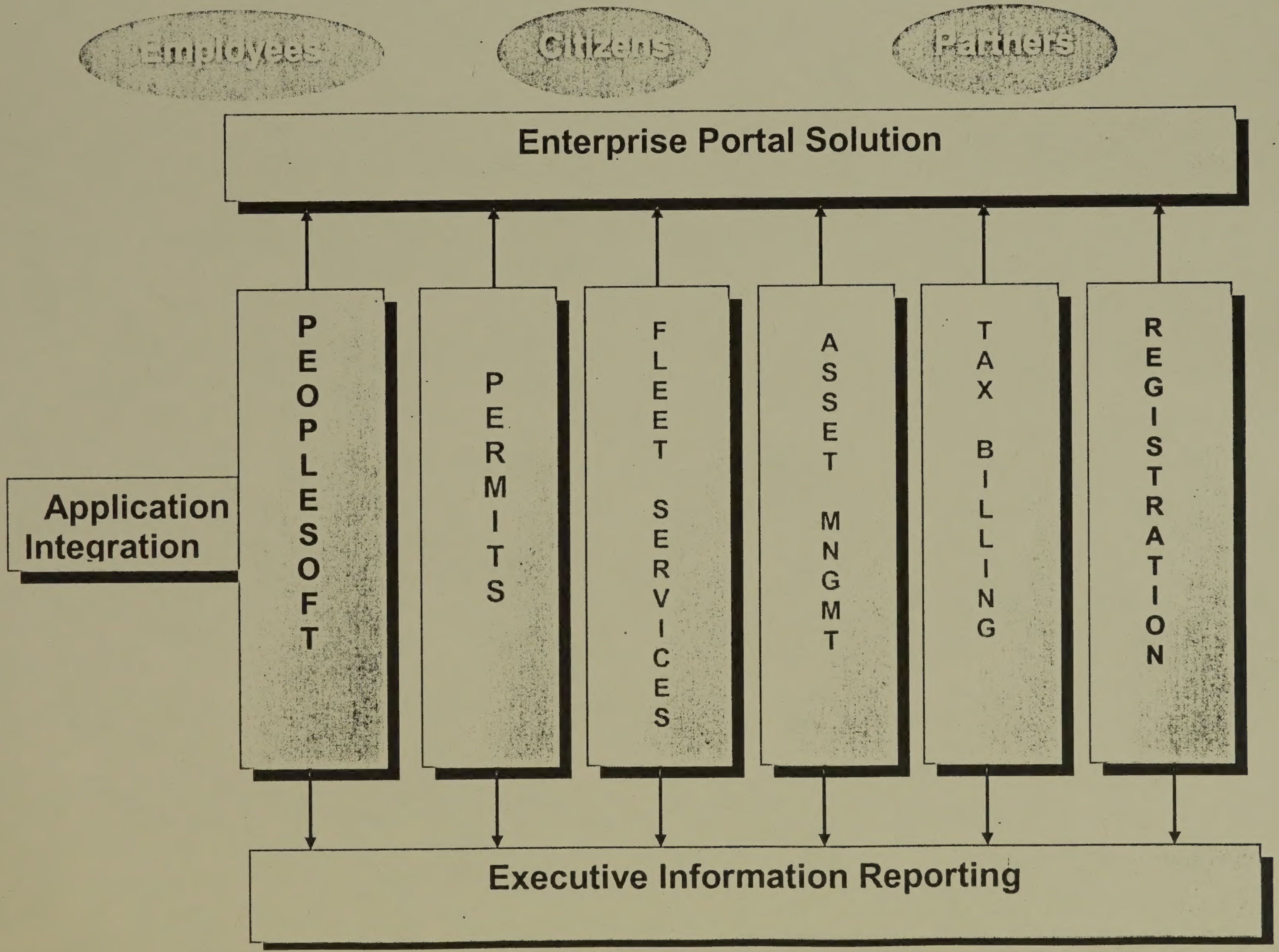
- Fiscal accountability – this acquisition and the associated 5 year pre-payment will provide significant savings while improving service.
- Leadership – The Enterprise Portal and the CRM modules will demonstrate the City's technology leadership.
- Innovation – the approach adopted in prioritizing current city needs from PeopleSoft and deferring some while advancing others shows innovation in assessing software needs in municipal government.
- Teamwork – Implementing this acquisition will demonstrate the effectiveness of the team effort of the various staff that reviewed the needs and priorities particularly those that participated in focus groups of HITS.

The Enterprise Portal will assist in reaching the City's strategic goals:

- A city of growth and opportunity – By investing in the portal, the city will have an engine upon which economic development and tourism data can be easily delivered to people throughout the area and around the World. The portal will pave the way for additional growth and opportunity.
- A city that spends wisely and invests strategically – best practices, best value. The enterprise portal will provide increased services at a greater effectiveness which translates to reduced costs. By implementing this initiative, the City will define the best practices for municipal IT Service Delivery to residents and partners as well as to enable online employee access.
- A city of choice for high performance public servants – The enterprise portal will provide staff with greater opportunity to interact and work together, ensuring that high performance people will come to the City and will remain with the organization. Furthermore, an inward employee portal may also be built using the enterprise portal to enhance employees access to their e-applications.

Appendix A

Applications Integration Vision for Hamilton And the Central Role of PeopleSoft


Employees
Citizens
Partners
Enterprise Portal Solution
Application Integration
PEOPLESOFT
PERMITS
FLEET SERVICES
ASSET MNGMT
TAX BILLING
REGISTRATION
Executive Information Reporting

SECTION 8

SECTION 9

SECTION 10

SECTION 11

SECTION 12

CITY WIDE IMPLICATIONS

12.1

CITY OF HAMILTON

Public Health & Community Services
Health Protection Branch

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Elizabeth Richardson, Medical Officer of Health
Date:	February 27, 2003	**Prepared by:**	Robert Hart Food Safety Program Manager 546-5428

SUBJECT: Comprehensive Food Premises, Food Safety Report – SPH02003 (c)

RECOMMENDATION:

(a) That Council approve in principle model 1 of Appendix 2 of report SPH02003 (b) with the amendments outlined in this report, including a 3 color (red, yellow, green) sign system.

(b) That the one-time costs for changes to the disclosure component of the Comprehensive Food Premises, Food Safety Program outlined in this report ($410,000) be referred to the 2004 budget process.

(c) That Council consider amendments to the City of Hamilton Licensing Code By-Law 01-156 in 2004, in order to fully cost recover the annual operating costs of the disclosure component of the Comprehensive Food Premises, Food Safety Program in 2005 and beyond.

Elizabeth Richardson, Medical Officer of Health
Public Health & Community Services

EXECUTIVE SUMMARY:

This report provides a synopsis of the City of Toronto's evaluation of their Food Premises Inspection and Disclosure System (known as *DineSafe*). As well, it recommends modifications to the City of Hamilton's interim disclosure system of the Comprehensive Food Premises Food Safety Program to include a red/yellow/green sign system. However, given that the changes to the interim program were deemed not affordable during the 2003 budget process, it is recommended that the costs and implementation of the changes be referred to the 2004 budget process. A model for full cost recovery of the annual operating costs for 2005 and on is also provided.

In summary, this report finds that:

- *DineSafe* has been well received in Toronto, and food premises inspection data also indicate that compliance has improved since the program was put in place.
- Though well received, the City of Toronto evaluation indicates that 37% of the public misinterpret yellow signage. Moreover, only 22% of those who utilize the posting system would patronize a premise with a yellow sign, even though green and yellow-posted facilities pose the same level of food safety risk.
- While the Toronto evaluation indicates improved compliance since the inception of *DineSafe*, Hamilton has realized similar improvements since its interim program was put in place. This suggests that two-colour and three-colour systems are equally effective at maintaining/improving food safety compliance rates.
- Notwithstanding the above points, Hamilton's Comprehensive Food Premises Food Safety Program could be modified to include three-colour signage.
- Based on the revised budget estimates provided in this report, full cost recovery for the annual operating costs for the program would result in an additional fee for licensed food premises: $225.00 for high risk, $150.00 for medium risk, and $75.00 for low risk in addition to the existing $90.00, $60.00, and $30.00 licensing fees respectively.
- The *DineSafe* evaluation supports the findings of other locales in showing a positive correlation between food handler training and improved food safety compliance rates among premises.

BACKGROUND:

On October 1, 2002, PHCS staff presented Committee of the Whole with report SPH02003(b) which outlined three options for a comprehensive food premises food safety program. Staff recommended Option 1 which included:

- New database software to replace the current CISS and is supported by mobile technology
- Two-colour (Red – Green) signs posted at licensed food premises
- City of Hamilton Website posting of inspection findings and legal action
- Media advertisements citing Orders and convictions registered against food premises
- Dedicated Food Premises "Hotline"
- Dedicated Quality Assurance personnel (1.0 FTE)
- Process and full outcome evaluation
- Full public awareness campaign

This option represented a one-time start-up cost of $360,000 with ongoing annual costs of $195,000. Within the report it was recommended that these costs be considered as part of the 2003 budget process. However the report was tabled at Council pending the release of the Toronto *Dine Safe* evaluation as Council was interested in the efficacy of Toronto's three-colour signage system, which consists of green (pass), yellow (conditional pass), and red (closed). The costs for Option One were included in the 2003 budget book presented to Council as non-recommended enhancements and were approved as such by Council.

Staff are now able to provide a review of the evaluation of Toronto's program and estimate the financial impact to the City of Hamilton of adopting a modified version of Option One, as well as the potential for cost-recovery of ongoing costs through licensing fees.

The evaluation of *DineSafe* was presented in a staff report to Toronto's Board of Health on January 27, 2003. The report complied with a Board request that an evaluation study of the program be conducted based on data from its first year of implementation. *DineSafe* commenced on January 8, 2001.

The evaluation made use of information gathered from four main sources: public health inspector and manager consultations; a food premise operator survey; a public opinion survey; and data collected from Toronto Public Health's computerized inspection database system (known as THEIS). The evaluation indicates that *DineSafe* has been well received in Toronto. As well, implementation of the program correlates with improved food safety compliance rates among premises. Highlights of the evaluation are as follows:

- 98% of Torontonians indicated they thought it important to maintain *DineSafe* in its current form. Despite this finding, it was noted that only approximately 10% of respondents were aware of the *DineSafe* web site and telephone hotline.
- 71% of operators supported the program in its current form; 94% of operators indicated their business was either unaffected or was positively affected by the program; 82% of operators reported they believed inspections were impartial and fair.
- Inspectors reported increased compliance and decreased need to re-inspect premises.
- Premises with at least one certified (trained) food handler were 1.5 times more likely not to require a re-inspection to achieve compliance.
- Over the course of the year, both the number of re-inspections required per inspection, and the number of infractions detected per inspection decreased.

With regard specifically to the yellow sign (conditional pass), operators did express initial concern that customers would misinterpret yellow as meaning unsafe. While this concern appears to have been replaced by support for the program, the results of the public opinion survey did indicate that 37% of Torontonians misinterpret the signage and equate yellow with unsafe. As well, only 22% of those who utilize the posting system would patronize a premise with a yellow sign, even though green and yellow-posted facilities pose the same level of food safety risk.

The evaluation report acknowledges these findings, stating "it will be helpful for [Toronto Public Health] to increase awareness and reinforce the meaning of the yellow sign both for operators and the public to avoid misunderstanding and undue concern."

Toronto's finding of a correlation between trained food handlers on site and increased compliance provides added evidence of the importance of mandatory food handler training.

At the time of preparation of this report, Ministry of Health and Long Term Care staff advised that Cabinet approval has been received in principle for provincial mandatory food handler training. This would take the form of an amendment to the Ontario Food Premises Regulation requiring that a specified number of food premise staff/managers hold a health unit-recognized certificate. Ministry of Health and Long Term Care staff have since been directed by Cabinet to provide implementation options and projected costs for the program. This information was to be provided in a Cabinet submission scheduled for February 24, 2003. We are awaiting the outcome regarding the Ministry's plans in response to the submission.

In light of what appears to be serious interest on the part of the province for implementing mandatory food handler training, staff believe that a decision to enact local legislation should be deferred. However, work should continue to determine local costs and delivery options associated with mandatory training.

ANALYSIS OF ALTERNATIVES:

The *DineSafe* evaluation provides compelling evidence that a comprehensive food safety disclosure system can be successfully implemented. There is clear support for the program among operators and the public, and food safety compliance rates among premises have improved.

This evidence supports the City of Hamilton's decision to implement a local food safety disclosure program. However, as indicated in the Introduction to this report, there remains a question as to whether Hamilton's system should be modified to include three-colour signage. A red-yellow-green system has been proposed in response to both the success of *DineSafe* and to a perception that a two-colour system provides insufficient detail about inspection findings. A draft copy of the proposed signage system is included in Appendix B. There will be further consultation on the sign prior to implementation in September.

Staff have reviewed the issue carefully and believe that the currently proposed system could be modified from two-colour to three-colour. A change in system design at this point would not create significant impacts on implementation deadlines. It is also believed that some of the misinterpretation issues related to *DineSafe* could be overcome with modifications to our Public Information Campaign. For example, replacing the phrase "conditional pass" with wording such as "re-inspection required" may create less concern on the part of diners while still fulfilling the desire for information. Note too that all signs, regardless of colour, will provide some level of detail regarding inspection findings.

However, while three-colour signage could be incorporated into the Hamilton program, the role of such signage in actually improving compliance is less clear.

The *DineSafe* evaluation points to significant improvements in food safety compliance among food premises. As Toronto worked through its cycle of inspections in 2001, both the number of required re-inspections and critical infractions identified were seen to drop in relation to the number of routine inspections conducted.

A review of Hamilton's food premises inspection results since the inception of the Interim Disclosure Program in February, 2002 reveals similar improvements in compliance.[1] As illustrated in the tables below, the number of critical infractions detected per inspection by premise risk category dropped very significantly through each successive cycle of inspections.

Hamilton 2002 Cycle of High Risk Food Premises Inspections

	1st Inspection	2nd Inspection	3rd Inspection
# inspections	739	923	911
# critical Infractions (CI)	328	381	226
CI/inspection	.44	.41	.25

Hamilton 2002 Cycle of Medium Risk Food Premises Inspections

	1st Inspection	2nd Inspection
# inspections	1,085	1,152
# critical Infractions (CI)	306	254
CI/inspection	.28	.22

The similarity in success achieved by both the Toronto and Hamilton programs suggests three possible explanations:

1. Any program that heightens public awareness of restaurant inspection findings encourages operators to comply.
2. Increased public health inspector presence (both Toronto and Hamilton increased the number of inspections performed through their cycles) increases compliance.
3. Disclosure strategies combined with increased inspection frequency improves compliance.

The *DineSafe* evaluation results also suggest other possible Public Information Access alternatives in Hamilton's Comprehensive Food Premises Food Safety Program. As noted above, Torontonians are far less aware of both web site postings of inspection reports and information provided on a telephone hotline than they are of inspection notices (signs). While 75.4% of survey respondents reported being aware of signs, only 10.5% and 9.9% were aware of the web site and hotline respectively. Note as well that these respondents are only reporting awareness of these strategies; there is no indication of the extent to which they are actually used.

---

[1] Toronto and Hamilton data are not directly comparable since the THEIS and CISS databases record data in different ways.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

FINANACIAL/STAFFING:

Proposed Program Reductions:

As indicated above, Hamilton's Option One in PHH 02003(b), presented October 1, 2002, had one-time start-up costs of $360,000 with ongoing annual costs of $195,000.

Staff propose that, building on the learnings from Toronto's evaluation, that changes could be made to the proposed budget for Option One, as outlined below, without significant impact to the overall Comprehensive Food Premises Food Safety Program's goals. Timelines for implementation of these components are outlined in Appendix A.

One Time Costs for 1st 9 months	Project Manager, Knowledge Mgmt. & Information Technology Public Information Access Public Awareness Quality Assurance (1 FTE Annualized) Evaluation **TOTAL**	$ 40,000 $150,000 $ 50,000 $ 80,000 $ 60,000 $ 30,000 **$410,000**
Annualized Operational Costs	Knowledge Mgmt. & Information Technology Public Information Access Quality Assurance (1.0 FTE) Supplies Evaluation **TOTAL**	$ 50,000 $ 15,000 $ 80,000 $ 10,000 $ 40,000 **$195,000**

As mentioned above, the costs of Option One (as outlined in SPH 02003(b)) were included in the 2003 budget book as non-recommended enhancements and were approved as such by Council. As no budget allocation exists in the approved 2003 budget for the one-time costs and given the fiscal challenges facing the city in 2003, staff recommend referring the costs for the program changes to the 2004 budget process.

Cost Recovery:

Council has directed that staff estimate the impact on food premise licence fees if the ongoing costs of the Comprehensive Food Premises Food Safety Program were to be recovered through this means. Currently, licence fees are $90, $60, and $30 for high, medium and low risk premises respectively. Adhering to this fee ratio, licence fees would increase by the following amounts:

Food Premise Type	Existing Licensing Fee	Additional Annual Fee	Total Annual Licensing Fees
High Risk	$90	$225	$315
Medium Risk	$60	$150	$210
Low Risk	$30	$75	$105

LEGAL:

The proposed revisions to the Option One program would not alter the legal implications cited in the original PHCS report of October 1, 2002. However, amendments to the City Licensing Code would be required if licence fees were to be raised.

POLICIES AFFECTING PROPOSAL:

As described in the October 1, 2002 report, the Ministry of Health and Long Term Care will not fund any disclosure related activities. Existing provincial legislation sets specific requirements for Boards of Health in undertaking food safety programs. These requirements will not change with the adoption of any model option.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

In preparing this report, staff consulted with representatives of the Ministry of Health and Long Term Care and with other provincial health units where food disclosure programs and/or new database systems are being considered. Staff particularly wish to acknowledge the assistance of Mr. Ron DeBurger, Director of Environmental Health, Toronto Public Health Department, and Ms. Jane Urquhart, Food Safety Manager, Toronto Public Health for their assistance. Corporate Services has been consulted regarding funding options for the amended program.

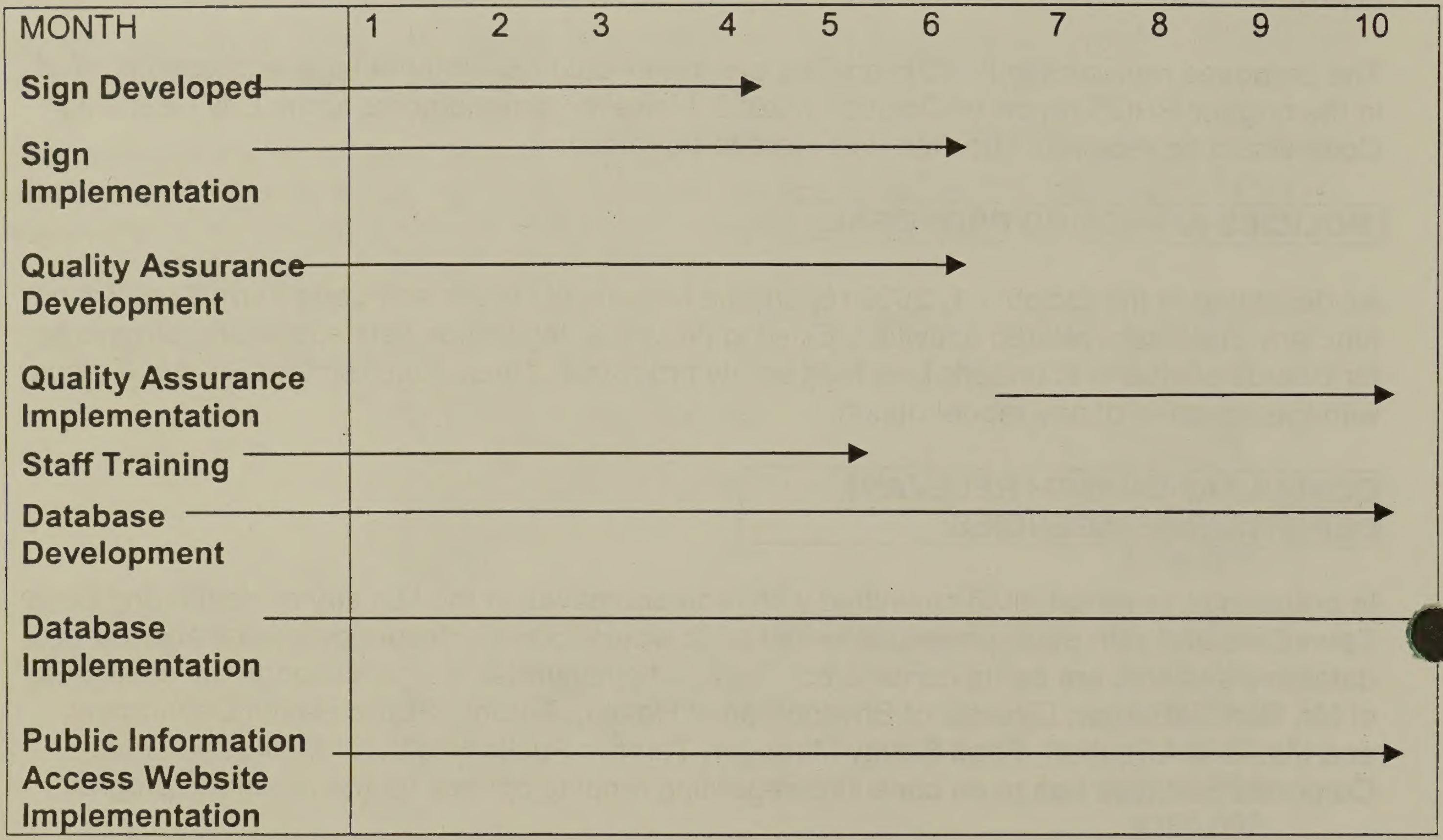
CITY STRATEGIC COMMITMENT:

As indicated in the October 1, 2002 report, a comprehensive food safety program will contribute towards the City of Hamilton Strategic Goals of a ***Healthy City*** and ***a City Where People Come First*** as the program aims to meet mandated inspection frequencies and to contribute to minimizing the risk of food borne illness while being open and accessible with inspection information for the public.

The program would also demonstrate a ***City That Spends Wisely and Invests Strategically*** by creating accurate, reliable data, knowledge management and IT systems as the foundation to support program components. Continuous improvements through effective quality assurance and evaluation will guide the strategic direction for public information accessibility.

Appendix A

General Implementation Timelines



Appendix B

CITY OF HAMILTON
FOOD PREMISE INSPECTION SUMMARY REPORT

Premise Name ________________________________ Date ☐☐ ☐☐ ☐☐☐☐

Inspection Type: Routine ☐ Re-inspection ☐ Complaint ☐ Consultation ☐

	Sat	**Corr**	**Unsat**
Critical items that can cause foodborne illness			
Foods stored and held at safe temperatures	☐	☐	☐
Foods protected from contamination	☐	☐	☐
Food handler access to handwashing facilities	☐	☐	☐
General Sanitation and Maintenance			
Cleaning and sanitizing of utensils	☐	☐	☐
Construction and maintenance	☐	☐	☐
Garbage storage and removal	☐	☐	☐
Pest control	☐	☐	☐

DRAFT

PREMISE STATUS AT THE TIME OF THIS INSPECTION

NO REQUIREMENTS **RE-INSPECTION** **CLOSED**

required on _______

Previous Inspection Results
☐ No Requirements
Re-inspection required
☐ Closed

Sat = Satisfactory at time of inspection
Corr= Significant infraction observed but corrected immediately
Unsat = Unsatisfactory: re-inspection required

Staff of the Public Health and Community Services Department routinely inspect this premises at least ___ times per year. The Results of the inspection reflect the conditions of the premise at the time of inspection. For more information, contact 905-546-3570.

____
Medical Officer of Health

SECTION 13

AFFECTS WARD 2

CITY OF HAMILTON

13.1

PUBLIC WORKS DEPARTMENT
Fleet & Facilities Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Peter M. Crockett, P.Eng. General Manager
Date:	March 12, 2003	**Prepared by:**	Mike Watson 905-628-2443

SUBJECT: **Lease - 120 King Street West, Hamilton Suite Nos. 900, 1165 and 1170 (Standard Life) (PW03011) - (Ward 2)**

RECOMMENDATION:

(a) That the City of Hamilton enter into a lease with Fourth Phase Civic Square Limited for the property known as 120 King Street West Hamilton (Standard Life) Suite Nos. 900, 1165 and 1170, subject to the following terms:

(i) Term: Five (5) year term commencing April 1,2003, terminating March 31, 2008, in addition there is a cancellation clause whereby the City of Hamilton may cancel the lease without penalty at the end of the third year (March 31, 2006) and after the fourth year (March 31,2007);

(ii) Property: 120 King Street West Hamilton Suite 900 having an area of 32,549 square feet, Suite 1165 having an area of 1,865 square feet and Suite 1170 having an area of 8,055 square feet (Total Area- 42,469 square feet in accordance with B.O.M.A. 1996 measurement standard);

(iii) Rental Rate: $7.75 per square foot (Net), $329,134.75 per annum, $27,427.90 per month plus G.S.T. and to be charged to Account #791521-55358;

(iv) Operating Costs: The City is responsible for its share of the operating costs, currently include taxes. (operating $7.05 per sq.ft., taxes estimated at $5.44 per sq.ft. Total-$12.49 per sq.ft.);

Note: The Revenue Division of Corporate Services Department will be preparing a by-law under Section 110 of The Municipal Act to propose that this leased area become a City Capital Facility whereby, the City would be exempt from paying Realty Taxes at this location.

(v) Special Conditions: The City will not be required to demolish the existing tenant improvements at the termination of the lease term or any early cancellation;

(b) That the Mayor and City Clerk be authorized and directed to execute the Lease in a form satisfactory to Corporate Counsel.

Peter M. Crockett, P.Eng.
General Manager
Public Works Department

EXECUTIVE SUMMARY:

This report provides staff direction to enter into a lease with the owner of 120 King Street West (Standard Life) which houses various Civic Departments. The lease will contain a cancellation clause allowing the City to terminate the lease at the end of the third and fourth years. This cancellation clause provides the City with some flexibility if we were to consolidate our accommodation needs into a new City Hall facility. Staff are currently in the process of preparing a "request for proposal" RFP for the City Hall. The recommendations outlined in this report are coordinated with the RFP and time line schedule of the Accommodations Project for Hamilton City Hall.

BACKGROUND:

City Council on February 20, 2001 authorized staff to relocate the existing civic departments located at 50 Main E. (former Court House), as a result of Council's direction to lease the Court House to McMaster University. On June 1, 2001 the City entered into a sub-let lease agreement with Stelco Inc. for space on the 9th and 11th floors of Standard Life. This sub-lease agreement runs until March 31,2003, at which time the City must negotiate a lease with the owner of the property namely Fourth Phase Civic Square Limited. The rental rate for the sub-lease was $13.93 per sq.ft. (Gross) (40,389 sq.ft. 1989 B.O.M.A. measurement standard) which includes all operating costs for total annual rent of $562,618.77 plus G.S.T.

For the past several months, the Real Estate Division has been negotiating with the representatives of 120 King West (Standard Life) for a new lease. We now have reached terms that both parties can recommend to their respective approving authorities. The rental terms contained in our recommendations namely $7.75 per sq.ft. (Net) is a fair rental rate especially since we requested two cancellation terms without any penalty and the removal of the standard demolition clause requiring the removal of tenant improvements at the end of the term. This new lease is being set up as a (Net) lease to allow the City to pursue the issue of eliminating the realty taxes as part of the operating cost. Once this has been completed our overall rental charges will be $14.80 per sq.ft. (Gross) (42,469 sq.ft. 1996 B.O.M.A. measurement standard) for a total cost of $628,541.20 per annum plus G.S.T. Under the assumption that the taxes are eliminated the net increase is $65,922.43 per annum.

ANALYSIS OF ALTERNATIVES:

If the recommendation were not adopted then the City would have to move out of the building to alternative lease space. There are several reasons why we would not recommend this course of action: firstly, there is very little lease space of this size (42,469 sq.ft.) and quality available, and secondly, the capital cost to build our tenant improvements would be $1,500,000. Finally the lease has to be flexible to allow the cancellation after the third and fourth year to allow for the possible relocation to a new City Hall. This last consideration makes any expenditure for tenant improvements as stated earlier not economical and not prudent in the City's current fiscal situation and for the owner it could turn out to be a lease term of only three years. Staff are currently in the process of preparing a "request for proposal" (RFP) for the City Hall project. The recommendations outlined in this report are coordinated with the RFP and time line schedule of the Accommodations Project for the Hamilton City Hall.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial

The 2003 rental budget for the subject property is $610,000. However based on information in this report, the rental cost in 2003 will be $630,422 (G.S.T at net 3%) thereby generating a budget variance. The budget variance is caused by the increase in measured space from 40,389 to 42,469 sq.ft. due to the latest B.O.M.A. (1996) office measurement standards. In 2004, the rental cost will be $647,398 ($628,541.20 plus G.S.T.) as the rate will be in effect for the full twelve (12) months as per Appendix A attached hereto.

If adopted, the recommendations will allow the City to know its rent costs for the next five years.

Staffing

There are no staffing implications.

Legal

The proposed lease agreement will be prepared subject to the approval of the Legal Services Division.

POLICIES AFFECTING PROPOSAL:

In adopting Item No. 21 of Report 01-029; City Council, on September 18, 2001, authorized the delegation to approve the acquisition, disposition or lease to the City Manger, General Manager for the following amounts:

Lease value shall not exceed:

$60,000 annual rental for the General Manager or designate;

$150,000 annual rental for the City Manger or designate.

Since the amount contained in the aforementioned recommendations are in excess of these limits, we are required to seek City Council approval for the adoption of this report.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Corporate Services - Revenue; Budget; Corporate Management Services (Finance & Administration)
Domenic Lunardo, Accommodations Project City Hall

CITY STRATEGIC COMMITMENT:

The approval of the recommendations herein endorses the following principles of the City's Vision 2020 policies:

(a) The approval of the lease makes efficient and economical use of an existing facility and its services.

(b) It would also minimize the financial costs to the City while giving it flexibility to relocate the departments and staff housed at this location to any future City Hall development.

(c) Finally, this location is in close proximity to City Hall, which reduces communiting between locations.

APPENDIX "A"
PW03011

LEASE - 120 KING STREET WEST (STANDARD LIFE)

Old Rental Terms			*New Rental Terms*			
Area (Sq. Ft.)	**Rate (Gross)**	**Annual (Plus G.S.T.)**	**Area (Sq. Ft.)**	**Rate (Net)**	**Annual (Plus G.S.T.)**	
40,389	$13.93	$562,618.77	42,469	$7.75	$329,134.75	
			42,469	$7.05	$299,406.45	Operating Costs
Total		**$562,618.77**	**Total**		**$628,541.20**	

Net Increase	**$65,922.43**
2003 Budget Estimate	**$610,000.00**

Budget Variance 2003	**$20,422.00**

For the Period - April 1, 2003 to December 31, 2003

SECTION 14

SECTION 15

CA5 ON HAM
A34
2003

MUNICIPAL DOCUMENT

City of Hamilton

AGENDA

COMMITTEE OF THE WHOLE 03-009

Tuesday, April 1, 2003

9:30 a.m.

Council Chamber
Hamilton City Hall
71 Main Street West
Hamilton, Ontario

Kevin C. Christenson
City Clerk

Please note: All cellular telephones and pagers to be switched to a non-audible function during Council and Committee meetings.

Agenda available on-line at www.hamilton.ca
(click on "City Government")

1. DECLARATIONS OF INTEREST

2. ADOPTION OF MINUTES

2.1 March 25, 2003 (to be distributed)

3. DELEGATION REQUESTS

3.1 Request to address the Hearings Sub-Committee by Jim Quinn respecting issuing of a license to Thomas R. Birnie

3.2 Request to address the Hearing Sub-Committee by Maureen Reilly, Sierra Club of Canada respecting land application of biosolids and sewage sludge as fertilizer

4. CONSENT ITEMS

4.1 Amendments to By-law No. 01-084 to Appoint Municipal Law Enforcement Officers (FCS03071) (City Wide)

4.2 Monthly Status Report of Tenders and requests for Proposals for February 2003 (FCS03053(a)) (City Wide)

4.3 King Street West Business Improvement Area - Proposed budget and Schedule of Payment for 2003 (PD03071) (Affects Ward 2)

4.4 Demolition Permit - 5 Hunt Street (PD03066) (Ward 1)

4.5 Intersection Control - Intersection of Kingsview Drive at Davis Crescent/Lasalle Court (PW03013) (Ward 6)

4.6 Intersection Control - Intersections of Rockwood Place at John Street South and at Mountwood avenue (PW03016) (Ward 2)

4.7 Intersection Control - Intersection of Westoby Court and Watson's Lane (PW03015) (Ward 13)

4.8 Intersection Control - Intersection of Butter Road and Shaver Road (PW03014) (Ward 12)

4.9 Declaration of Surplus Property/Sale of part of the Bedford Street Road Allowance to Angelo Cocca and Angela Cocca (PW03018) (Ward 7)

4.10 Declaration of Surplus Property Vacant City Lands - 603 Burlington Street East, Hamilton (PW03012) (Ward 3)

4.11 "DBRS 2003 Credit Rating" (FCS03070) (City Wide)

4.12 Allan Cup - Canadian Amateur Senior Hockey Tournament - Sale of Alcohol - J.L. Grightmire Arena on Market Street - April 14-19, 2003 (HCS03003) (Ward 13)

5. PRESENTATIONS

5.1 2002 Residential Property Taxes and Utility Charges Survey, City of Edmonton Study (FCS03069) (City Wide)

DISCUSSION ITEMS

6. CITY MANAGER

None

7. CORPORATE SERVICES

7.1 Report of the 2002 Remuneration and Expenses as Required Under Section 284 of the Municipal Act (FCS03029)

8. ECONOMIC DEVELOPMENT

None

9. EMERGENCY SERVICES

9.1 Status of Emergency Services Department - EMS (HES03002) (City Wide)

10. HUMAN RESOURCES

None

11. PLANNING AND DEVELOPMENT

None

12. PUBLIC HEALTH AND COMMUNITY SERVICES

None

13. PUBLIC WORKS

13.1 Request for All-Way Stop Control - Intersection of Maplewood Avenue and Prospect Street South (PW03017) (Ward 3)

13.2 City of Hamilton Expropriation of Red Hill Creek Expressway Parts 2 and 3 on Plan 62R-15125 (PW03019) (Ward 5)

14. JOINT DEPARTMENTAL REPORTS

14.1 Vacant/Abandoned Buildings (HES03003/ECO03007/PD03075) (City Wide)

15. REPORTS BY SUB-COMMITTEES

15.1 Licensing Sub-Committee Report, meeting of March 19, 2003

16. REPORTS BY THE VOLUNTEER CO-ORDINATING COMMITTEES

None

17. ITEMS REFERRED BY CITY COUNCIL

None

18. MOTIONS

None

19. NOTICES OF MOTIONS

None

20. GENERAL INFORMATION

None

21. PRIVATE AND CONFIDENTIAL

None

22. ADJOURNMENT

OUTSTANDING BUSINESS

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
A.	Report on Colliers Recommendations – HECFI Facilities	March 28/01	Community Services		2002 - Q1
B.	Demolition of 226 Avondale Street	April 25/01	N/A		TABLED by Ward Councillor
C.	Toll for Red Hill Creek Expressway	Nov 21/01	Public Works Corporate Services	Staff to bring a report back on option for tolling Red Hill Creek Expressway	Awaiting Provincial Regulations
D.	Council Communication - Residential Care Facilities	Jan. 23/02	Public Health and Community Services	Referred to staff for comments	
E.	Strategy to attract Factory Outlet stores	Feb. 13/02/further updated on August 6/02	Economic Development	Staff to bring implementation plan to Committee	
F.	Strategy for prioritizing abandoned industrial and commercial warehouse structures	Feb. 13/02 Aug. 13/02 follow-up request made	CMT	Staff to bring implementation plan to Committee	
G.	Remuneration and Expenses	March 5/02	Corporate Services	Staff to report back in future reports highlighting offsetting revenues which create a net expenditure, consultation with Councillors, indication of expenses authorized as Council expenses	March 2003

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
H.	Pest Control	May 7/02	Planning and Development	Staff to report back on control of pests/rodents prior to demolition permit issued	
I.	Hannon Post Office	May 7/02	Corporate Secretariat	Staff to report back on possibility of address changes that align with telephone exchanges	
J.	Correspondence from Hamilton District Labour Council/HUC Corporation Position Paper	Apr. 30/02	Corporate Services and HUC	Staff to bring report back	
K.	Capital Program to modify mountable curb driveway approaches	July 2/02	Public Works	Three sections tabled pending public consultation	
L.	Uncovered crossovers on highways	August 6/02	Risk Management and Legal	Staff to bring report back on uncovered crossovers on highways	
M.	Floating Casino - West Harbour	August 13/02	Legal Services	Staff to report back on feasibility of securing a casino license for floating casino	Nov./02
N.	Downtown cleanliness	August 13/02	Public Works	Staff to report back on how much it cost to keep the downtown clean prior and during FCM	
O.	Correspondence from Mr. Reginald Beaudry respecting Tree Species List	Council Communication of September 11, 2002	Community Services	Staff to report back to Committee of the Whole as part of the Forestry Management Plan exercise	

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
P.	Hamilton Future Fund	Sept. 10/02	Corporate Services	Staff to provide monthly reports to Council and Trustee Panel on the approved projects to assist in monitoring	Ongoing
Q.	Services Review - City Maintenance Operations	Sept/10/02	City Manager	City Manager to provide ongoing and final reports to Council on behalf of the Services Review Committee	Ongoing
R.	Hamilton's Wastewater System	Sept. 17/02	Public Works	Staff to investigate possible partnership re: dredging of the Windemere basin, Updates	
S.	Subsection g) HMRF/HWRF Pension Administration Sub-Committee Report	Sept. 24/02	COW	Tabled pending delegation from Hamilton Police Association appearing at HSC	
T.	By-law to regulate postering of signs on public property	Sept. 17/02	Public Works and Corporate Services	Staff to prepare by-law to regulate	
U.					

SECTION 2

SECTION 3

3.1

TO: CLERK CITY OF HAMILTON

DEAR CITY CLERK

I WOULD LIKE TO REQUEST THE OPPORTUNITY TO APPEAR BEFORE THE HEARING SUB-COMMITTEE ALONG WITH OTHER WITNESSES IN THE MATTER OF THE ISSUEING OF A LICENSE TO THOMAS R. BIRNIE.

SINCERELY

J Quinn

JIM QUINN
692-3737

3.2

Memo to: City of Hamilton Clerk

From: Maureen Reilly
Sierra Club of Canada
Eastern Canada Chapter

Re: Presentation on Biosolids

Date: March 21, 2003

Dear Clerk,

I would like an appointment to address the Hamilton Council on the issue of the land application of biosolids and the issue of sewage sludge as fertilizer. I understand that the Sub-committee meets on Wednesday morning. I would like to present for about 20 minutes and then answer questions. I would also appreciate an overhead projector or powerpoint equipment for the presentation.

Sincerely

Maureen Reilly

Maureen Reilly

Sierra Club of Canada
Eastern Canada Chapter
24 Mercer St.
Toronto

Tel 416 922-4099

SECTION 4

CITY WIDE IMPLICATIONS

CITY OF HAMILTON

4.1

CORPORATE SERVICES
Corporate Management Services

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Joseph L. Rinaldo General Manager
Date:	24 February, 2003	**Prepared by:**	Paola Pianegonda (574-5519)

SUBJECT: Amendments to By-law No. 01-084 to Appoint Municipal Law Enforcement Officers. (City Wide) (FCS03071)

RECOMMENDATION:

(a) That the following persons be appointed as Municipal Law Enforcement Officers, pursuant to Section 15(1) of the Police Services Act R.S.O. 1990, Chapter P15:

Colby Constant
Paul Brown
Melissa Goodson
Michael Newell
Mark Webb

(b) That an appropriate by-law in the form attached hereto as Appendix "A" to Report FCS03071, to amend By-law No. 01-084 accordingly be passed and enacted.

Joseph Rinaldo

Joseph L. Rinaldo, General Manager
Corporate Services

EXECUTIVE SUMMARY:

Due to staffing changes respecting municipal employees assigned to the Animal Control and Parking Control sections under the jurisdiction of Parking and Enforcement Operations, it is appropriate and necessary to appoint the persons set out in recommendation (a) as Municipal Law Enforcement Officers.

BACKGROUND:

Appointment of the persons set out in recommendation (a), as Municipal Law Enforcement Officers will provide for consistent and expeditious enforcement of various municipal by-laws including, but not limited to, by-laws regulating animal control and parking.

ANALYSIS OF ALTERNATIVES:

Concluding that the recommended appointment is not warranted would result in decreased efficiency respecting the enforcement of the aforesaid municipal by-laws and would be inconsistent with Section 227 of the Municipal Act and Section 15(1) of the Police Services Act.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial Implications

Staff anticipates no increase in operating costs or revenues beyond those included in the current budget.

Staffing Implications

In view of the fact that the subject appointments fill vacant positions, there are no staffing implications

Legal Implications

The appointment of the persons set out in recommendation (a) will result in the expeditious enforcement of existing municipal by-laws under provisions of the Provincial Offences Act.

POLICIES AFFECTING PROPOSAL:

The above recommendations are in compliance with extant corporate policies respecting the appointment of employees as Municipal Law Enforcement Officers.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

No consultation warranted.

CITY STRATEGIC COMMITMENT:

Health Impacts

No health impacts

Social Impacts

The recommendation contained in this report is consistent with Section 2 of the City's Strategic Plan whereby quality services are provided which residents can rely on in support of the community's quality of life.

Environmental Impacts

The enforcement of the aforementioned by-laws is consistent with the City's goal of maintaining a Healthy, Safe and Green City under Section 3(f) of the Strategic Plan by improving the safety of residents.

Economic Impacts

The recommendation is consistent with Section 5(b) of the City's Strategic Plan by facilitating "Best Practices - Best Value" insofar as service quality, and community priorities are taken into account.

PP/PDB/MBH/

ATTACHMENT "A" to Report No. FCS03071

Authority: Item , Name of Committee
Report
CM: Date

Bill No.

THE CITY OF HAMILTON

BY-LAW NO 03-

TO AMEND BY-LAW 01-084

BEING A BY-LAW TO APPOINT MUNICIPAL LAW ENFORCEMENT OFFICERS FOR THE CITY OF HAMILTON

WHEREAS Section 15(1) of the Police Services Act R.S.O. 1990, c.P.15, as amended, authorizes the council of any municipality to appoint one or more Municipal Law Enforcement Officers, who shall be peace officers for the purposes of enforcing the by-laws of the municipality;

AND WHEREAS Section 227 of the Municipal Act, S.O. 2001, c.25, as amended, provides that it is the role of the officers and employees of the municipality to implement council's decisions and to carry out other duties assigned by the municipality;

AND WHEREAS Section 428 of the Municipal Act, as amended, provides that where a municipality has a power of entry under the Act, the power shall be exercised by an employee or agent of the municipality;

AND WHEREAS the Council of the City of Hamilton, on the 15th day of May 2001, did pass and enact By-law No. 01-084, being a by-law to appoint Municipal Law Enforcement Officers for the City of Hamilton;

AND WHEREAS it is necessary to amend By-law No. 01-084;

NOW, THEREFORE, the Council of the City of Hamilton enacts as follows:

1. Schedule A of By-law No. 01-084 is hereby amended by adding thereto the following names:

"Colby Constant
Paul Brown
Melissa Goodson
Michael Newell
Mark Webb"

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-084, including the Schedule thereto, is hereby confirmed unchanged.

3. This By-law shall come into force and effect on the date of its passing and enactment.

PASSED AND ENACTED this day of , 2003

Mayor

City Clerk

CITY WIDE IMPLICATIONS

4.2

CITY OF HAMILTON

CORPORATE SERVICES
Financial Services

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Joseph L. Rinaldo General Manager
Date:	March 14, 2003	**Prepared by:**	Rick Male 905-546-4157

SUBJECT: **Monthly Status Report of Tenders and Requests for Proposals for February 2003 - FCS03053(a) - (City Wide)**

RECOMMENDATION:

That the Monthly Status Report of Tenders and Requests for Proposals for February 2003 as set out in Appendix 'A' to Report FCS03053(a) be received for information.

Joseph Rinaldo

Joseph L. Rinaldo, General Manager
Corporate Services

EXECUTIVE SUMMARY:

This report is in accordance with our Policy #6, Council Approval of Contracts, whereby a Council report recommending award of a tender or proposal is not required when the criteria outlined in Items a. through d. of the policy have been met.

BACKGROUND:

Tenders and Proposals reported in this document have been issued in accordance with Purchasing Policies and are being awarded to the lowest acceptable bid.

Staff will continue to report to Council on awards where the conditions have not been met.

Those items with a status of "Under Review" or "Pending Approval" will remain on the report until such time an award is made.

ANALYSIS OF ALTERNATIVES:

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

POLICIES AFFECTING PROPOSAL:

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

This report encompasses all Tenders and Proposals issued by the City and is produced in consultation with the Public Works Department.

CITY STRATEGIC COMMITMENT:

The recommendation contained within this report has city-wide implications.

Tenders and Proposals are issued to encourage the competitive bidding process with objective and equitable treatment of all vendors, in accordance with the Purchasing Policies approved by Council. Further, the City of Hamilton's commitment to procure goods and/or services with due regard to the preservation of the natural environment and to encourage the use of "environmentally friendly" products and services, as supported by the Pollution Prevention Committee.

Appendix A to Report No. F[illegible]03053(a)

CITY OF HAMILTON

Summary of Tenders & Proposals Issued - February, 2003

Reference	***Project Description***	***Closing Date***	***Status Award Information***
C4-01-02	RFP for the Provision of Newspaper Advertising Space	July 5	Cancelled
C4-03-02	RFP for the Provision of Printing and Direct Distribution Advertising	July 5	Brabant Newspaper Ltd. $537,888 annual expenditure - estimated
C11-35-02	Supply & Delivery of Brake Parts and Service for Cars, Light Duty Trucks and Heavy Duty Vehicles	July 17	Pending Award
C12-8-02	H.V.A.C. Maintenance Services Required at Various Facilities	July 31	Part "B" – Macassa Lodge – Moore Environmental Systems Ltd. No Expenditure Estimate Available
C3-53-02	RFP for Advance Care Paramedic Training Program	August 22	Mohawk College - $120,423
C6-04-02	Tender for Provision of a Service Provider for Enforcement of Municipal By-Laws	August 29	One Bid Received Under Review
TOE-02-46(HW)	Watermain replacement on Highland Road West from Second Road West to Carlson Street and asphalt resurfacing on Highland Road West from Glenhollow Drive to Carlson Street and Second Road West from Highland to North limits. (City of Hamilton Ward 9)	September 3	Partial award or full award of contract under review or in progress
C9-08-02	**REISSUANCE** - RFP for Provision of a Service Provider for Employee Assistance/ Critical Incident Response Program for Hamilton Police Service	October 11	FGI - $54,260 - based on current employee ratio
C6-14-02	RFP for IP Telephony Solution and Data Infrastructure Upgrade	November 8	Bell Canada $6.8 million total contract
TOE-02-62(H)	Proposed sidewalk construction on various streets in the City of Hamilton	November 12	All Around Construction $245,137.00

Reference	Project Description	Closing Date	Status Award Information
C11-91-02	Tender for Supply & Delivery of 7 (Seven) D.A.R.T.S. Vehicles – with option to purchase up to 6 (Six) additional vehicles	November 15	Overland Custom Coach Inc. $3,912,059.00
C3-85-02	RFP for Records Management System for Emergency Services – Fire	November 28	One Bid Received Under Review
C9-09-02	Tender for Supply and Delivery of Computers, Servers and Related Components	December 5	N2End Connectivity $191,063.15
C11-95-02	Tender for Supply and Delivery of Traffic Sign Mounting Posts & Hardware	December 19	McKeough Supply - $140,000 Dyna Engineering - $15,000
C4-04-02	RFP for Print Management Services and Related Equipment Services	December 20	Under Review
C11-105-02	Tender for Complete Refurbishment of Two 1982 GMC Model TA60102N Articulated Transit Buses	December 20	Cancelled
C11-99-02	Part 2 – Tender for Ceiling Rehabilitation of the Northeast and Southeast Quadrants of the Water Filtration Building at the Woodward Avenue Water Treatment Plant	December 20	Underground Services $434,425.35
C3-95-02	RFP for Program for Hamilton Emergency Services Monitor/Defibrillator Replacements	January 14	Medtronic of Canada Ltd. $433,891.00
TOE-02-61(HSW)	Road, sidewalk and curb construction, watermain replacement, storm sewer construction and sanitary sewer replacement on Federal St., Red Oak Ave. and Hemlock Ave. from Deerhurst Rd. to Millen Rd. and on Worsley Rd. from Highway No. 8 to Hemlock Ave. (Ward 10)	January 14	FCM Construction $2,966,401.66
C11-104-02	Tender for Supply and Delivery of One (1) Hydro-Excavation Machine, 66,000 LB. GVW Truck Chassis	January 17	Under Review
C11-107-02	Tender for Supply and Delivery of One Tandem Axle Cab and Chassis Complete with Dump Box and Crane	January 17	Under Review
C3-42-02	RFP for Consultant Services for Corporate Real Property Planning Project	January 20	Under Review

Reference	Project Description	Closing Date	Status Award Information
C11-09-03	RFP for Engineering Services for the Preparation of a Comprehensive Water Servicing Master Plan for the Carlisle & Freelton Rural Settlement Areas	February 6	Stantec Consulting $148,133.50
C11-08-03	Tender for Supply and Delivery of Recycling Containers -Recycling Boxes, Wheeled Recycling Carts, Recycling Bags	February 6	Boxes: SCL A-1 Plastics - $669,700 Bags: Multi Bag - $ 230,000 Carts: Under review
C2-11-02 **A** C2-11-02 **B**	RFP for the Purchase and Development of Two City Owned Properties **(A)** 87-89 King Street East, Hamilton, ON **(B)** 171 Main Street East, Hamilton, ON	February 14	Under Review
C2-12-02	RFP for the Hamilton Downtown Residential Loan Program	February 14	Under Review
TOE-03-05(H)	Carluke Road culvert replacement between Shaver Road and Fiddlers Green Road	February 14	CRL Campbell Construction & Drainage Co. Ltd. $159,274.32
C3-10-03	Tender for Construction and Delivery of a Temporary Fire Station Facility - (Located at 76 John Street North)	February 21	Cancelled

AFFECTS
WARD 2

CITY OF HAMILTON

4.3

PLANNING AND DEVELOPMENT DEPARTMENT
Downtown Renewal Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date: **File:**	March 14, 2003 1001-12	**Prepared by:**	Hazel Milsome (905) 546-2755

SUBJECT: King Street West Business Improvement Area (B.I.A.) Proposed Budget and Schedule of Payment for 2003 (PD03071) (Affects Ward 2)

RECOMMENDATION:

(a) That the 2003 operating budget for the King Street West B.I.A. (attached as Appendix ‘A’ to Report PD03071) be approved in the amount of $8,700;

(b) That the 2003 levy portion of the operating budget for the King Street West B.I.A. in the amount of $3000 be approved;

(c) That the General Manager of Corporate Services be hereby authorized and directed to prepare the requisite by-law pursuant to Section 208, The Municipal Act 2001.S.O. 2001, c.25, to levy the 2003 budget as referenced in sub-section (b) above;

(d) That the following schedule of payments for 2003 be approved:

April	$3,000

Note: 2002 assessment appeals may be deducted from 2003 levy payment.

LeeAnn Coveyduck

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

Approval of the 2003 budget and schedule of payment for the King Street West B.I.A.

BACKGROUND:

At its Annual General Meeting held on February 26th, 2003, the King Street West B.I.A.'s Board of Management presented its proposed budget for 2003. The process followed to adopt the King Street West B.I.A.'s 2003 budget was in accordance with the B.I.A.'s constitution.

ANALYSIS OF ALTERNATIVES:

Not applicable.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – The $8,700 budget is derived from the following:

- Levying the B.I.A. members - $3000
- Balance brought forward from 2002 - $4,700

There is no cost to the City of Hamilton for any part of the operating budget.

Staffing – There are no staffing implications.

Legal – The Municipal Act, Section 205, Sub-section (1) dictates that City Council must approve budgets of B.I.A.s.

POLICIES AFFECTING PROPOSAL:

Not applicable.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Not applicable.

CITY STRATEGIC COMMITMENT:

The initiatives of B.I.A.s help create an attractive business district that extends to the local residents through the creation of a safer, cleaner and more aesthetically attractive district with positive results in the quality of life of its residents. Healthy business districts support neighbourhoods and healthy neighbourhoods support business districts. Economic health and healthy communities are important strategic objectives of the City.

c.c. Andrew Little, Chairman, King Street West B.I.A.
Rmm

APPENDIX ‘A’ TO REPORT PD03071

KING STREET WEST
BUSINESS IMPROVEMENT AREA
2003 BUDGET

EXPENSES

Insurance	
Audit Fees	
Promotion & Marketing	
Bank Charges	
Misc. costs, meetings etc.	$8,700

From current account	$4,700
From 2003 B.I.A. levy	$3,000

AFFECTS WARD 1

CITY OF HAMILTON

4.4

PLANNING AND DEVELOPMENT DEPARTMENT
Building and Licensing Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date: **File:**	March 14, 2003 03 199810	**Prepared by:**	Frank Peter (905) 546-2781

SUBJECT: Demolition Permit – 5 Hunt Street (PD03066) (Ward 1)

RECOMMENDATION:

That the Director of Building and Licensing be authorized and directed to issue a demolition permit for 5 Hunt Street in accordance with By-Law 74-209 pursuant to Section 33 of The Planning Act as amended.

LeeAnn Coveyduck

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

The owner is proposing to demolish the existing single family dwelling and leave the lands vacant at this time.

BACKGROUND:

PRESENT ZONING:	D (Map W-22)
PRESENT USE:	Single Family Dwelling
PROPOSED USE:	Vacant Land
BRIEF DESCRIPTION:	The owner is seeking approval to demolish the existing single family dwelling and leave the lands vacant at this time. These lands are in the Strathcona neighbourhood and are located in Ward 1. Please see attached location map shown as Attachment A to Report PD03066.

No LACAC interest. Lot size 7.62m x 24.38m

The owner of the property, as per the demolition permit application, is:

Imperial Oil Limited
C/o Don Dussault
PO Box 1490
Fonthill, ON L0S 1E0

ANALYSIS OF ALTERNATIVES:

N/A

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – N/A

Staffing – N/A

Legal – N/A

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

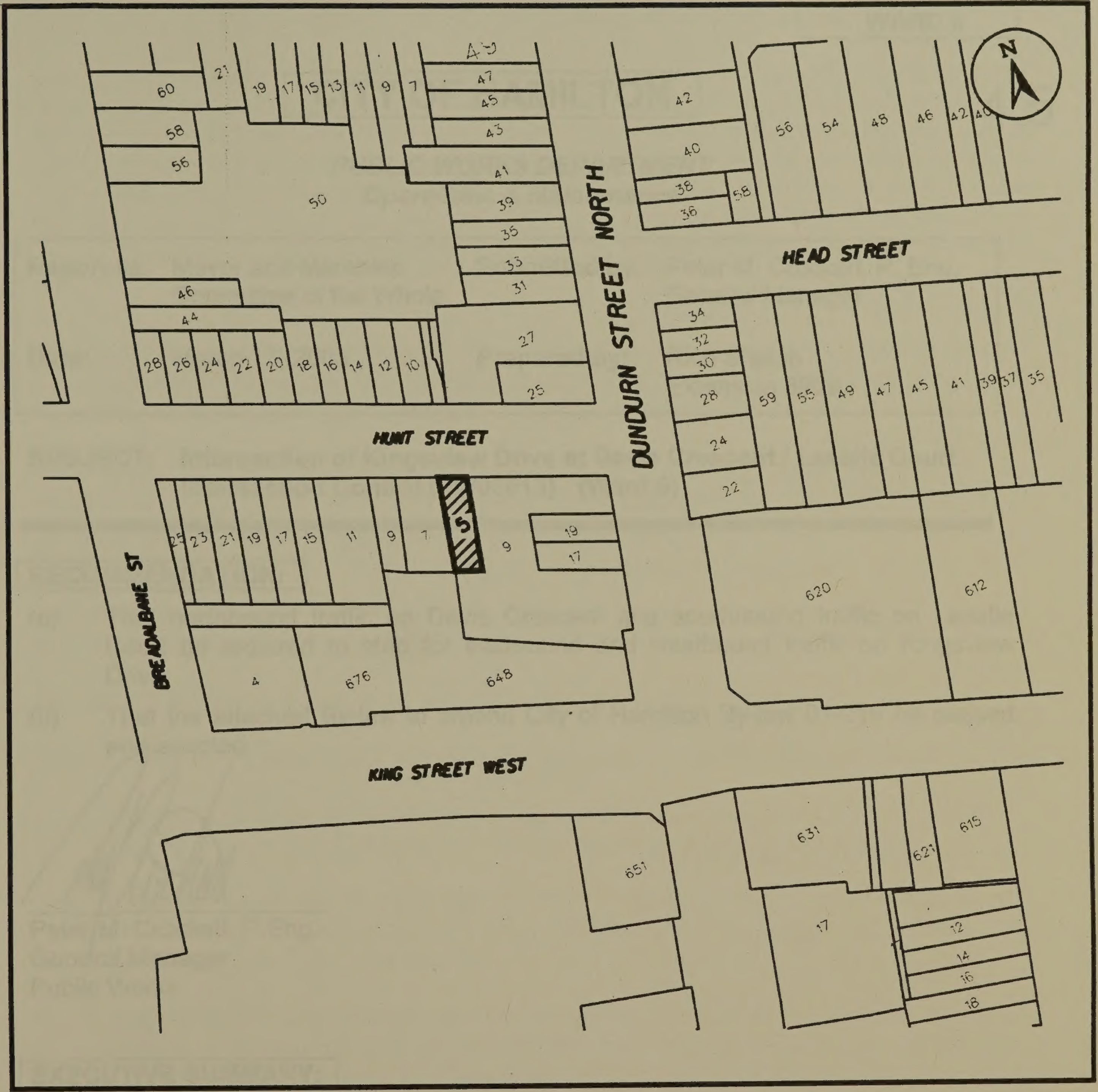
N/A

CITY STRATEGIC COMMITMENT:

This property is not listed on the City's inventory list as being of interest to the Local Architectural Conservation Advisory Committee (L.A.C.A.C.), therefore, there are no issues with heritage preservation.

:FP
Attach. (1)

Attachment A to Report PD03066



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DUNDURN STREET NORTH
BREADALBANE ST
KING STREET WEST
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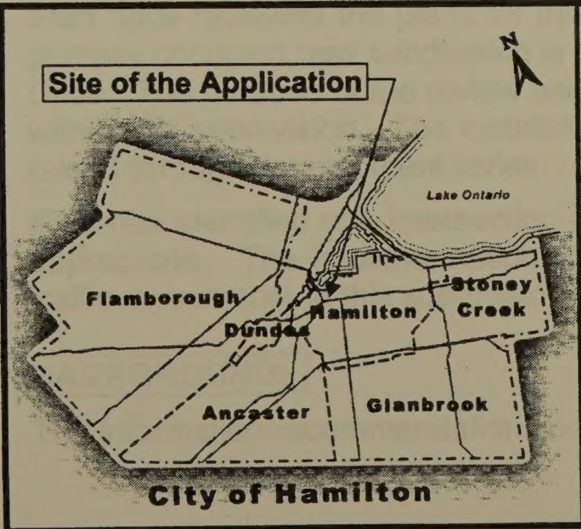


Site of the Application
N
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

▨ **Subject Property**
5 Hunt Street

Hamilton

Filename/number
PD03066

Date
March 10, 2003

Technician:
LC

Map Not to Scale

Appendix "A"

AFFECTS WARD 6

CITY OF HAMILTON

4.5

PUBLIC WORKS DEPARTMENT
Operations & Maintenance

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Peter M. Crockett, P. Eng. General Manager
Date:	March 13, 2003	**Prepared by:**	Rich Shebib Extension 3909

SUBJECT: **Intersection of Kingsview Drive at Davis Crescent / Lasalle Court Intersection Control (PW03013) - (Ward 6)**

RECOMMENDATION:

(a) That northbound traffic on Davis Crescent and southbound traffic on Lasalle Court be required to stop for eastbound and westbound traffic on Kingsview Drive.

(b) That the attached By-law to amend City of Hamilton By-law 01-215 be passed and enacted.

Peter M. Crockett, P.Eng.
General Manager
Public Works

EXECUTIVE SUMMARY:

Staff have reviewed the plans for the Albion Mills Estates Subdivision (62M-912). This partially occupied new subdivision is located north of Mud Street and west of Paramount Drive. The purpose of the review was to identify locations where stop control is required within this subdivision. The installation of the subject stop signs is funded with capital raised through development levies.

Staff has identified one intersection within this subdivision where stop control would be appropriate. The implementation of these stop signs will promote safe and efficient traffic movements in this subdivision.

BACKGROUND:

The information/recommendations contained within this report primarily affect Ward 6.

Staff received a request from an area resident to install stop signs at the intersection of Kingsview Drive at Davis Crescent / Lasalle Court. The subject intersection is a 4 legged uncontrolled intersection. The Ontario Highway Traffic Act stipulates that all traffic approaching an uncontrolled intersection must yield the right-of-way to traffic approaching on the right. However, in the interest of public safety, and in lieu of the otherwise applicable right-hand-rule, which may not be clearly understood by all motorists, staff are recommending that stop signs be installed at this intersection.

ANALYSIS OF ALTERNATIVES:

One alternative to the recommendation would be to take no action. There have been no reported intersection related collisions at this intersection since the opening of the roadways, which is an indication that the intersection is operating satisfactorily without signed stop control.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in regular current accounts to cover the cost of manufacturing, erecting and maintaining the required signs.

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

N/A

CITY STRATEGIC COMMITMENT:

The implementation of stop control will clearly define the “right-of-way” at the subject intersection, thus, reducing the potential for collisions and providing a safer community.

Authority: Item , Name of Committee
Report
CM: Date

Bill No.

CITY OF HAMILTON
BY-LAW NO. 03-

To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Davis	Northbound	Kingsview
Lasalle	Southbound	Kingsview"

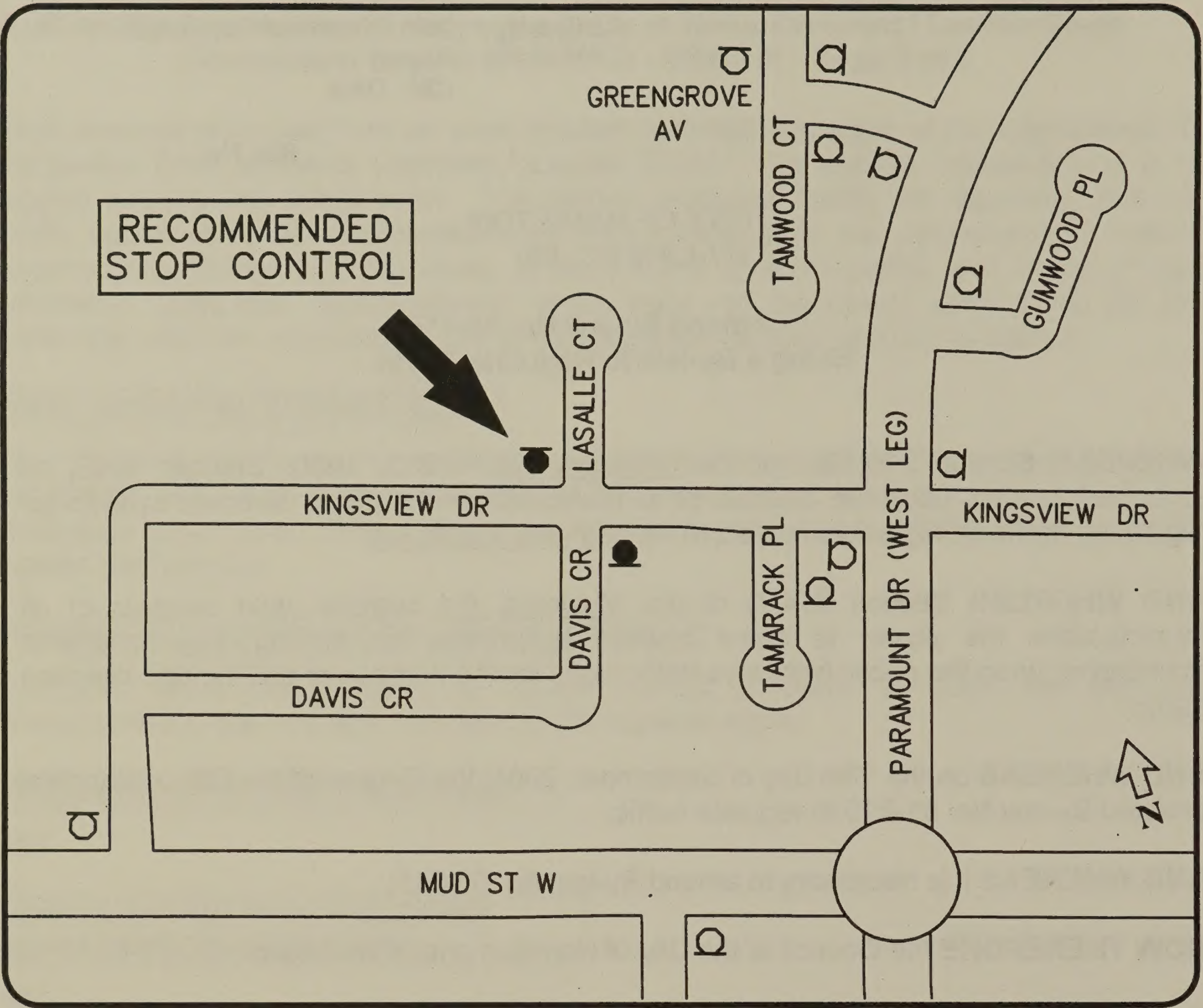
2. Subject to the amendment made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.

3. This By-law shall come into force and take effect on the date of its passing and enactment.

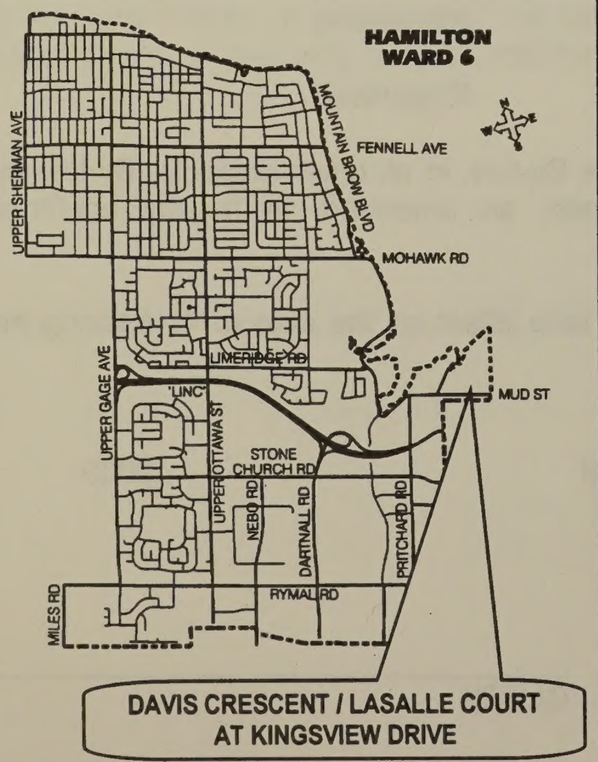
PASSED AND ENACTED this day of , 2003

MAYOR

CLERK


GREENGROVE AV
TAMWOOD CT
GUMWOOD PL
RECOMMENDED STOP CONTROL
LASALLE CT
PARAMOUNT DR (WEST LEG)
KINGSVIEW DR
KINGSVIEW DR
DAVIS CR
TAMARACK PL
DAVIS CR
N
MUD ST W

KEY MAP


HAMILTON WARD 6
MOUNTAIN BROW BLVD
FENNELL AVE
UPPER SHERMAN AVE
MOHAWK RD
LIMERIDGE RD
UPPER GAGE AVE
'LINC'
MUD ST
UPPER OTTAWA ST
STONE CHURCH RD
NEBO RD
DARTNALL RD
PRITCHARD RD
RYMAL RD
MILES RD
DAVIS CRESCENT / LASALLE COURT
AT KINGSVIEW DRIVE

LOCATION PLAN

STOP CONTROL:

- **NORTHBOUND DAVIS CRESCENT**
- **SOUTHBOUND LASALLE COURT**

AT

KINGSVIEW DRIVE

CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT

LEGEND

➡ SUBJECT INTERSECTION

RECOMMENDED		EXISTING	
●	TRAFFIC SIGNAL	○	TRAFFIC SIGNAL
●	STOP SIGN	○	STOP SIGN
▼	YIELD SIGN	▽	YIELD SIGN
◆	ROUNDABOUT	◇	ROUNDABOUT

SCALE	DATE
NOT TO SCALE	**2003-03-12**

REFERENCE FILE NO: **PW03013**

AFFECTS
WARD 2

CITY OF HAMILTON

4.6

PUBLIC WORKS
Operations & Maintenance

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Peter M. Crockett, P. Eng. General Manager
Date:	March 14, 2003	**Prepared by:**	Chris van Berkel Extension 5663

SUBJECT: **Intersections of Rockwood Place at John Street South and at Mountwood Avenue - Intersection Control (PW03016) - (Ward 2)**

RECOMMENDATION:

(a) That eastbound traffic on Rockwood Place be required to stop for northbound and southbound traffic on John Street South.

(b) That westbound traffic on Rockwood Place be required to stop for northbound and southbound traffic on Mountwood Avenue.

(c) That the attached by-law to amend the City of Hamilton Traffic By-law 01-215 be passed and enacted.

Peter M. Crockett, P.Eng.
General Manager
Public Works

EXECUTIVE SUMMARY:

An area resident has requested that stop control be implemented at the "T" type intersections of Rockwood Place at John Street South and at Mountwood Avenue. Staff supports the implementation of stop control on the stem of these two "T" type intersections, since it will provide clearer designation of right-of-way.

BACKGROUND:

The information/recommendations contained within this report primarily affect Ward 2.

Staff have received a request from an area resident, that stop control be implemented at the intersections of Rockwood Place at John Street South and at Mountwood Avenue, as there is no existing stop control at either intersection.

The subject intersections are both “T” type intersections and records indicate there have been no reported collisions at either intersection in the past five years. Staff supports the principle of stopping one direction of traffic at “T” type intersections in lieu of the otherwise applicable “right-hand rule”, which may not be clearly understood by all motorists. Therefore, staff recommends that eastbound and westbound traffic on Rockwood be required to stop for northbound and southbound traffic on John and Mountwood respectively.

ANALYSIS OF ALTERNATIVES:

One alternative to the recommendation would be to take no action on the implementation of stop control. There have been no reported intersection related collisions at either intersection, which is an indication that the intersections are operating satisfactorily without signed stop control.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in regular current accounts to cover the cost of manufacturing, erecting and maintaining the required signs.

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

N/A

CITY STRATEGIC COMMITMENT:

The implementation of stop control will clearly define the “right-of-way” at the subject intersections, thus, reducing the potential for collisions and providing a safer community.

Attached: By-law & Key Map

Authority: Item , Name of Committee
Report
CM: Date

Bill No.

CITY OF HAMILTON
BY-LAW NO. 03-

To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Rockwood	Eastbound	John
Rockwood	Westbound	Mountwood".

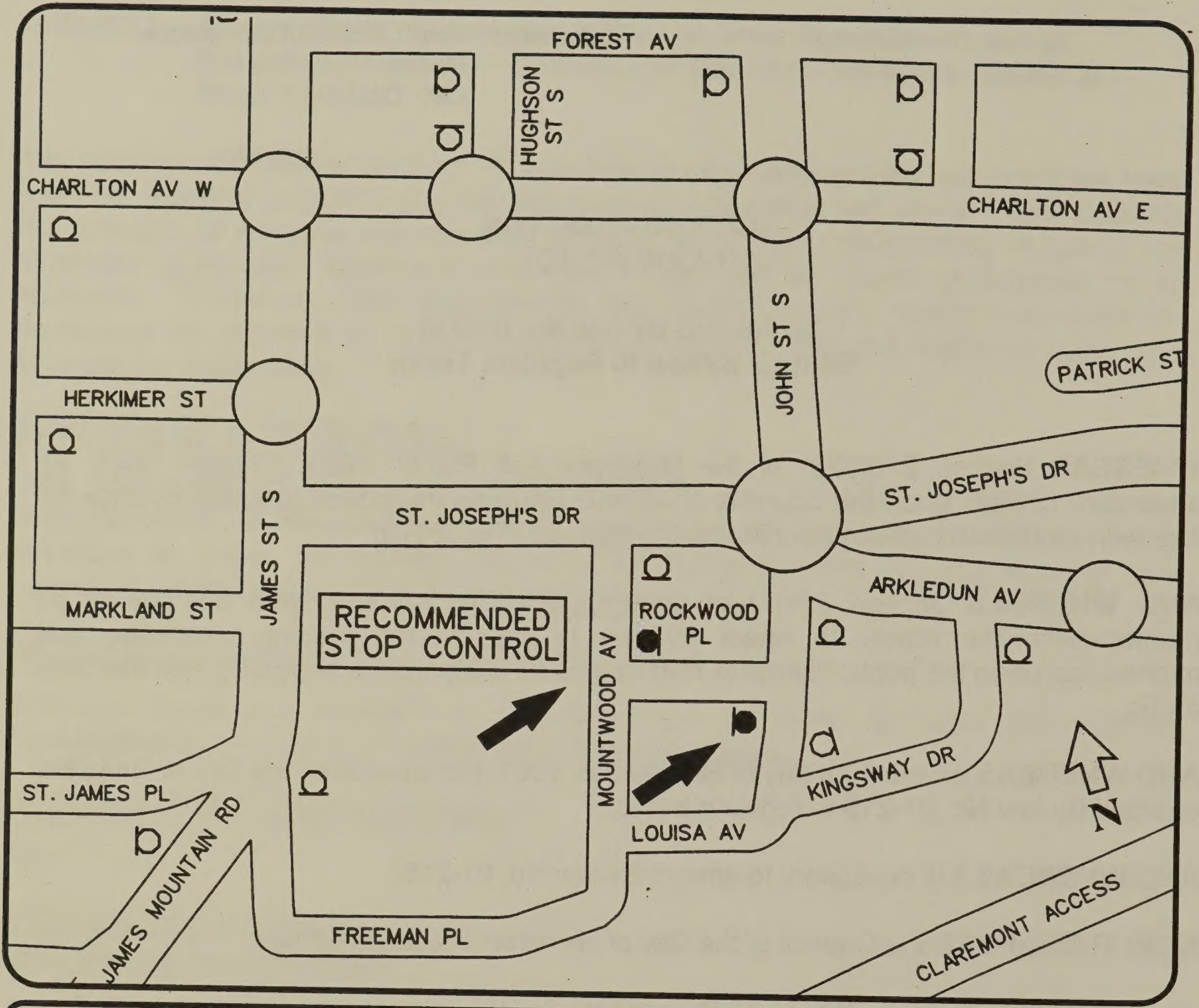
2. Subject to the amendment made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.

3. This By-law shall come into force and take effect on the date of its passing and enactment.

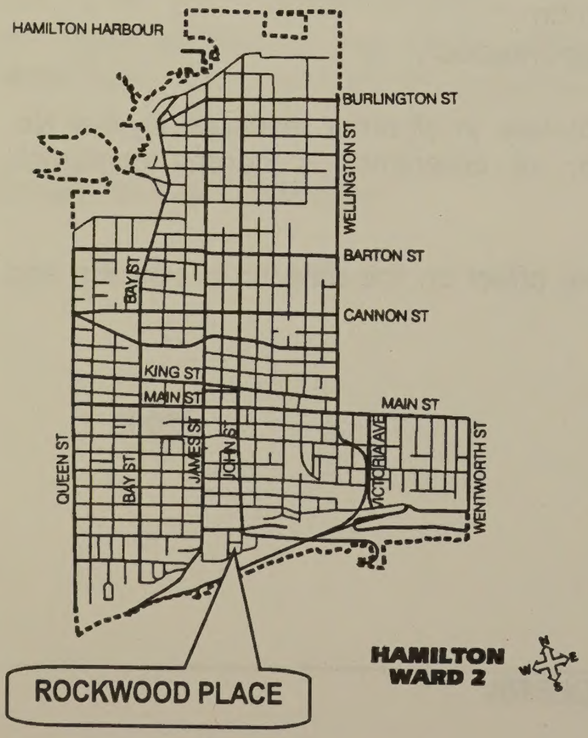
PASSED AND ENACTED this day of , 2003

MAYOR

CLERK


FOREST AV
HUGHSON ST S
CHARLTON AV W
CHARLTON AV E
HERKIMER ST
JOHN ST S
PATRICK ST
ST. JOSEPH'S DR
ST. JOSEPH'S DR
JAMES ST S
MARKLAND ST
RECOMMENDED STOP CONTROL
ROCKWOOD PL
ARKLEDUN AV
MOUNTWOOD AV
KINGSWAY DR
N
ST. JAMES PL
JAMES MOUNTAIN RD
LOUISA AV
FREEMAN PL
CLAREMONT ACCESS

KEY MAP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BURLINGTON ST
WELLINGTON ST
BARTON ST
CANNON ST
BAY ST
KING ST
MAIN ST
MAIN ST
QUEEN ST
BAY ST
JAMES ST
JOHN ST
VICTORIA AVE
WENTWORTH ST
ROCKWOOD PLACE
HAMILTON WARD 2

LOCATION PLAN

STOP CONTROL:

- **EASTBOUND ROCKWOOD PLACE AT JOHN STREET SOUTH**
- **WESTBOUND ROCKWOOD PLACE AT MOUNTWOOD AVENUE**

CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT

LEGEND

➡ SUBJECT INTERSECTION

RECOMMENDED		EXISTING	
●	TRAFFIC SIGNAL	○	TRAFFIC SIGNAL
◗	STOP SIGN	ᗡ	STOP SIGN
▼	YIELD SIGN	▽	YIELD SIGN
◆	ROUNDABOUT	◇	ROUNDABOUT

SCALE	DATE
NOT TO SCALE	2003-03-14

REFERENCE FILE NO: **PW03016**

AFFECTS WARD 13

CITY OF HAMILTON

4.7

PUBLIC WORKS DEPARTMENT
Operations & Maintenance

Report to:	Mayor and Members Committee of the Whole	**Submitted by**:	Peter M. Crockett, P. Eng. General Manager
Date:	March 14, 2003	**Prepared by:**	Rich Shebib Extension 3909

SUBJECT: **Intersection of Westoby Court and Watson's Lane Intersection Control (PW03015) - (Ward 13)**

RECOMMENDATION:

(a) That southbound traffic on Westoby Court be required to stop for eastbound and westbound traffic on Watson's Lane.

(b) That the attached by-law to amend City of Hamilton By-law 01-215 be passed and enacted.

Peter M. Crockett, P.Eng.
General Manager
Public Works

EXECUTIVE SUMMARY:

Staff have reviewed the plan for the Elissa Heights Subdivision (62M-952). This partially occupied new subdivision, is located north of Cootes Drive and west of York Road in Dundas. The purpose of the review was to identify locations where stop control is required at any new intersections within this subdivision. The installation of the subject stop signs is funded with capital raised through development levies.

Staff has identified one "T" type intersection within this subdivision where stop control would be appropriate. The implementation of this stop sign will promote safe and efficient traffic movements in this subdivision.

BACKGROUND:

The information/recommendations contained within this report primarily affect Ward 13.

The subject intersection is a "T" type intersection. Staff support the principle of stopping one direction of traffic at "T" type intersections in lieu of the otherwise applicable "right-hand rule", which may not be clearly understood by all motorists. Therefore, staff recommends that southbound traffic on Westoby Court be required to stop for eastbound and westbound traffic on Watson's Lane.

ANALYSIS OF ALTERNATIVES:

One alternative to the recommendation would be to take no action on the implementation of stop control. There have been no reported intersection related collisions at this intersection since opening of the roadway, which is an indication that the intersection is operating satisfactorily without signed stop control.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in regular current accounts to cover the cost of manufacturing, erecting and maintaining the required signs.

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

N/A

CITY STRATEGIC COMMITMENT:

The implementation of stop control will clearly define the "right-of-way" at the subject intersection, thus, reducing the potential for collisions and providing a safer community.

Attached: By-law & Key Map

Authority: Item , Name of Committee
Report
CM: Date

Bill No.

CITY OF HAMILTON
BY-LAW NO. 03-

To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "B" thereof the following items, namely:

"Westoby Court	Southbound	Watson's Lane"

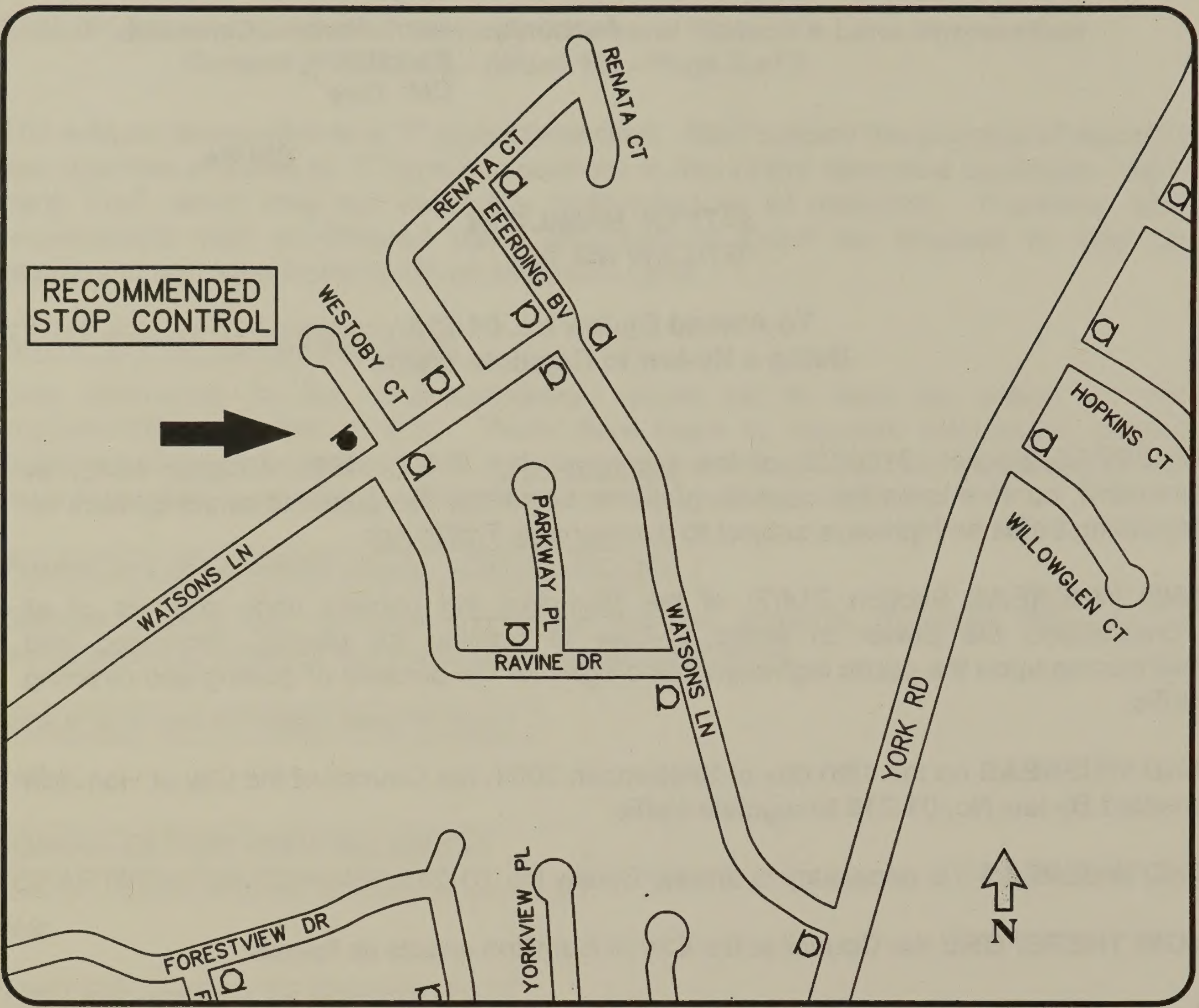
2. Subject to the amendment made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.

3. This By-law shall come into force and take effect on the date of its passing and enactment.

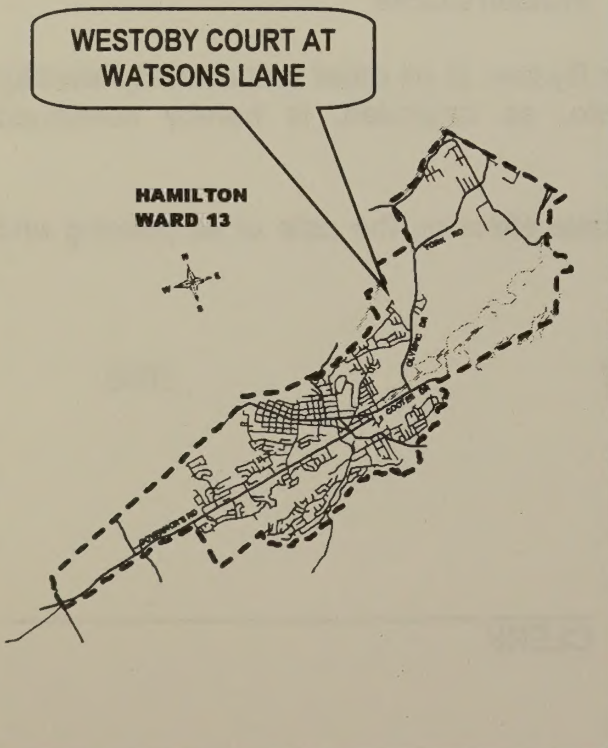
PASSED AND ENACTED this day of , 2003

MAYOR

CLERK


RECOMMENDED STOP CONTROL
RENATA CT
RENATA CT
EFERDING BV
WESTOBY CT
WATSONS LN
PARKWAY PL
RAVINE DR
WATSONS LN
HOPKINS CT
WILLOWGLEN CT
YORK RD
FORESTVIEW DR
YORKVIEW PL
N

KEY MAP


WESTOBY COURT AT WATSONS LANE
HAMILTON WARD 13

LOCATION PLAN

STOP CONTROL:
SOUTHBOUND
WESTOBY COURT AT
WATSONS LANE
CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT

LEGEND

➡ SUBJECT INTERSECTION

RECOMMENDED		EXISTING	
●	TRAFFIC SIGNAL	○	TRAFFIC SIGNAL
●	STOP SIGN	ᑐ	STOP SIGN
▼	YIELD SIGN	▽	YIELD SIGN
◆	ROUNDABOUT	◇	ROUNDABOUT

SCALE	DATE
NOT TO SCALE	2003-03-14

REFERENCE FILE NO: **PW03015**

AFFECTS WARD 12

CITY OF HAMILTON

4.8

PUBLIC WORKS DEPARTMENT
Operations & Maintenance

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Peter M. Crockett, P. Eng. General Manager
Date:	March 14, 2003	**Prepared by:**	Rich Shebib Extension 3909

SUBJECT: **Intersection of Butter Road and Shaver Road - Intersection Control (PW03014) - (Ward 12)**

RECOMMENDATION:

(a) That the existing 2-way stop control at the intersection of Butter Road and Shaver Road be changed to all-way stop control; and

(b) That the attached by-law to amend the City Traffic By-law 01-215 be passed and enacted.

Peter M. Crockett, P.Eng.
General Manager
Public Works

EXECUTIVE SUMMARY:

Staff received a request from an area resident that all-way stop control be implemented at the intersection of Butter Road and Shaver Road.

Staff reviewed the subject intersection and due to the restricted visibility at this intersection, it is warranted for all-way stop control.

The implementation of an all-way stop at this intersection will promote safe and efficient traffic movements at this intersection.

BACKGROUND:

The information/recommendations contained within this report primarily affect Ward 12.

The subject intersection is a four-leg intersection with eastbound and westbound traffic on Butter required to stop for northbound and southbound traffic on Shaver.

A review of the collision history revealed 6 reported collisions over the last 5 years at this intersection. Three of these collisions were right angle collisions.

The traffic volume split at this intersection is 73% on Shaver and 27% on Butter. This is slightly below the warrant split of 65/35.

Staff checked visibility of oncoming traffic and determined that there is only 65m of sight distance for eastbound and westbound motorists looking north due to the curve and alignment of Shaver. Under the approved policy, the minimum sight distance required for motorists stopped at the intersection to decide if it is safe to proceed through the intersection, is 105 m. Visibility in all other directions is satisfactory.

Based on the policy criteria, the limited visibility at this intersection warrants all-way stop control. Therefore, staff recommends that an all-way stop control be implemented at the intersection of Shaver and Butter.

ANALYSIS OF ALTERNATIVES:

One alternative to the recommendation would be to realign Shaver Road to improve visibility, but would not be feasible.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in regular current accounts to cover the cost of manufacturing, erecting and maintaining the required signs.

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

N/A

CITY STRATEGIC COMMITMENT:

The implementation of stop control will clearly define the “right-of-way” at the subject intersection, and give the drivers with restricted visibility a safer opportunity to enter the intersection. This will reduce the potential for collisions, providing a safer community.

Attached: By-law & Key Map

Authority: Item , Name of Committee
Report
CM: Date

Bill No.

CITY OF HAMILTON
BY-LAW NO. 03-

To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "A" thereof the following items, namely:

"Butter Rd.	Eastbound and Westbound	Shaver Rd.
Shaver Rd.	Northbound and Southbound	Butter Rd."

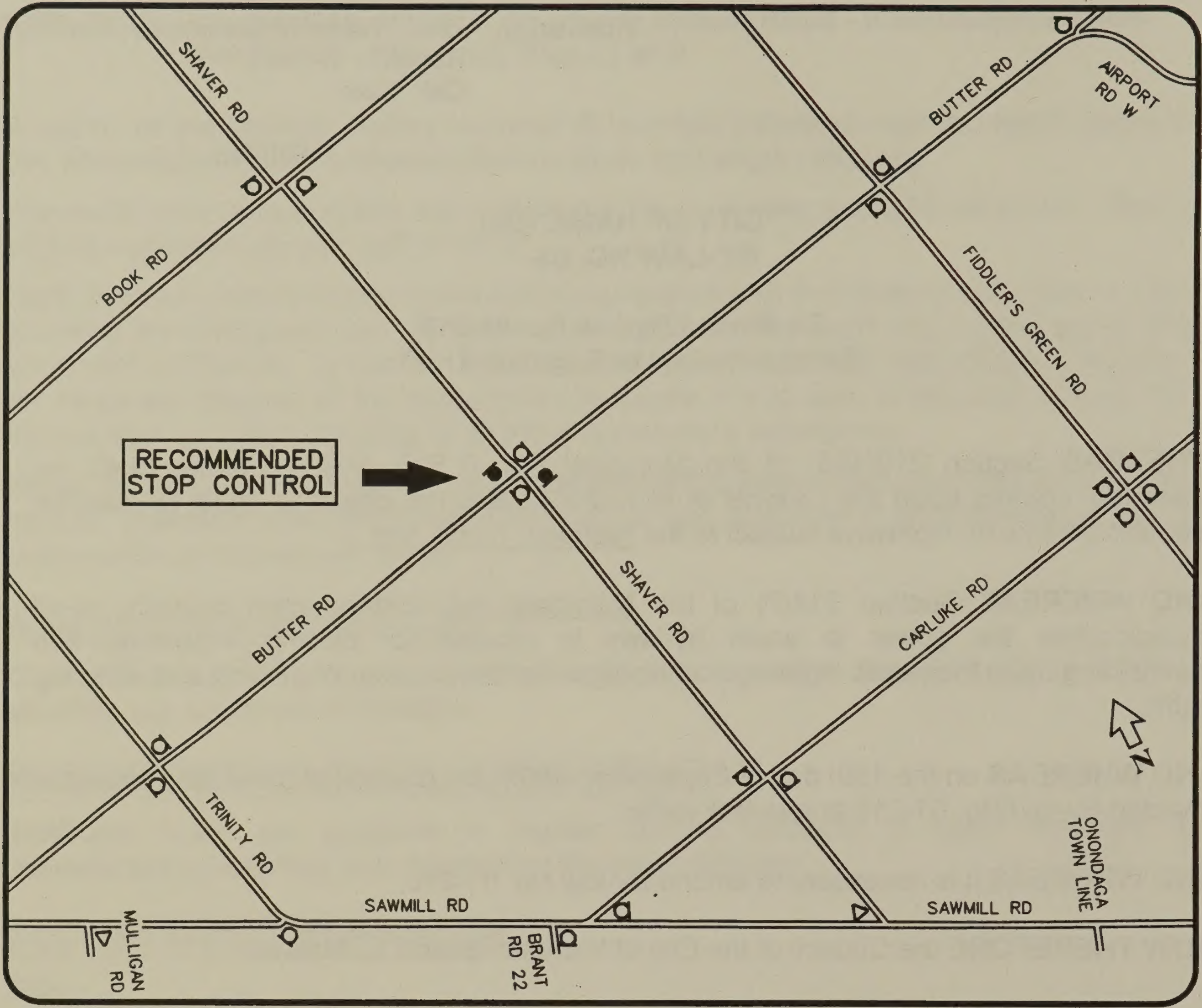
2. Subject to the amendment made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.

3. This By-law shall come into force and take effect on the date of its passing and enactment.

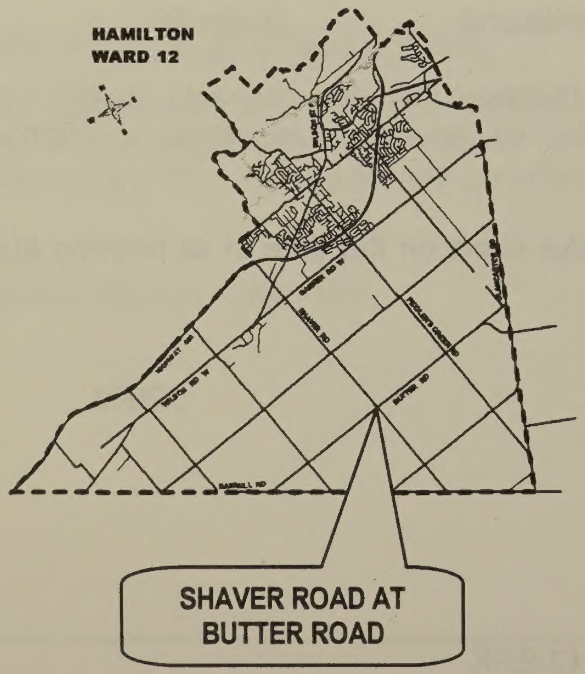
PASSED AND ENACTED this day of , 2003

MAYOR

CLERK


SHAVER RD
BOOK RD
BUTTER RD
AIRPORT RD W
FIDDLER'S GREEN RD
RECOMMENDED STOP CONTROL
SHAVER RD
BUTTER RD
CARLUKE RD
TRINITY RD
SAWMILL RD
SAWMILL RD
ONONDAGA TOWN LINE
MULLIGAN RD
BRANT RD 22
N

KEY MAP


HAMILTON WARD 12
SAWMILL RD
SHAVER ROAD AT BUTTER ROAD

LOCATION PLAN

ALL-WAY STOP CONTROL:
SHAVER ROAD
AT
BUTTER ROAD
CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT

LEGEND

➡ SUBJECT INTERSECTION

RECOMMENDED		EXISTING	
●	TRAFFIC SIGNAL	○	TRAFFIC SIGNAL
◖	STOP SIGN	▷	STOP SIGN
▼	YIELD SIGN	▽	YIELD SIGN
◆	ROUNDABOUT	◇	ROUNDABOUT

SCALE
NOT TO SCALE

DATE
2003-03-14

REFERENCE FILE NO: **PW03014**

AFFECTS WARD 7

CITY OF HAMILTON

4.9

PUBLIC WORKS DEPARTMENT
Fleet & Facilities

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Peter M. Crockett P.Eng. General Manager
Date:	March 17, 2003	**Prepared by:**	Scott G. Beveridge 905-628-5111

SUBJECT: **Declaration of Surplus Property/Sale of part of the Bedford Street Road Allowance to Angelo Cocca and Angela Cocca (PW03018) - (Ward 7)**

RECOMMENDATION:

(a) That the lands forming part of the unopened road allowance of part of Bedford Street, being Parts 24, 25, 26, 27, 32, 33 and 36, Plan 62R-12578, be declared surplus to the requirements of the City in accordance with Real Property Sales Procedural By-law 95-049;

(b) That the Facilities Division be authorized and directed to sell the subject properties in accordance with the Real Property Sales Procedural By-law 95-049;

(c) That the proceeds of this sale first be used to reimburse the local improvement costs attributable to this parcel, this amount is estimated to be approximately $12,100 and is to be deposited to account number 8120055002-47702 (subdivision clearing-land sales) and that the remainder approximately $41,900 be used to help offset any shortfall in achieving the $1 million program reduction in Facilities to realize operating cost reductions and, if not required, be contributed to the Reserve for Property Purchases.

(d) That the purchasers, Angelo and Angela Cocca be authorized to make an application to a District Court Judge, under Section 88 of the Registry Act, R.S.O. 1990, for an order to stop up, close and sell a portion of the unassumed Bedford Street road allowance designated as Parts 24, 25, 26, 27, 32, 33 and 36, Plan 62R-12578, Hamilton:

  (i) That the General Manager of Public Works be directed to sign an affidavit setting out that no public funds have been expended on the portion of road allowance to be closed;

  (ii) That the documentation regarding the application to the District Court Judge be prepared by the applicant, to the satisfaction of the Director of Legal Services and Corporate Counsel;

(iii) That the applicant register a reference plan under the Registry Act and that said plan be prepared by an Ontario Land Surveyor to the satisfaction of the Senior Project Manager, Survey and Technical Services, and that it delineate the manner in which the proposed closed portion of the alley is to be distributed to the abutting owners and that the applicant deposit a reproducible copy of said plan with the Senior Project Manager, Survey and Technical Services;

(e) Provided the Judge's Order to close the public unassumed road allowance is granted:

(i) That the General Manager, Public Works be directed to prepare a by-law for the sale of the closed road allowance to the abutting owner;

(ii) That the City Clerk be directed to publish a notice pursuant to Section 300 of the Municipal Act R.S.O. 1990, of the City's intention to pass the by-law.

(f) That an Offer to Purchase (Highway Closure) for the unopened road allowance of part of Bedford Street, being Parts 24, 25, 26, 27, 32, 33 and 36, Plan 62R-12578 for the price of $54,000, executed on January 29, 2003 by Angelo Cocca and Angela Cocca, be accepted. The sale is conditional upon the purchaser obtaining an order to authorize the stop-up, closure and sale of Parts 24, 25, 26, 27, 32, 33 and 36, Plan 62R-12578. The said transaction is scheduled to close on or before May 23, 2003;

(g) The sale price of $54,000 does not include The Goods and Services Tax (GST), should GST be applicable and be collected by the City the GST amount is to be credited to Account Number 22835009000 (GST Payable);

(h) That the required deposit cheque in the amount of $5,400 be held by the General Manager of Corporate Services pending Council Approval;

(i) That Corporate Counsel be authorized and directed to prepare the necessary transfer and By-law documents;

(j) That in accordance with the City's Real Property Sales Procedural By-law No. R95-049 for the Sale of Real Property:

(i) Satisfactory notice has been given to the public of the intended sale through advertisements in the Hamilton Spectator on August 4, 11, 18, 25, 2000. In addition a Notice to the Public sign indicating that the city intends to sell the land was posted on the subject from January 21 to February 7, 2003;

(ii) No appraisal of the fair market value of the real property scheduled to be sold has been obtained as Highway (Public Highway) Closures and Sales are exempt from the appraisal requirement of section 193 of the Municipal Act;

(iii) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

Peter M. Crockett, P.Eng.
General Manager
Public Works

EXECUTIVE SUMMARY:

The former Hamilton City Council on July 4, 2000 adopted Section A-13 of the Transport and Environment Committee section of the Committee of the Whole to stop-up, close and sell a portion of the Bedford Street road allowance. Since that time the Real Estate Division has been negotiating and disposing of parts of the remaining unopened road allowance to the abutting owners. The sale of the subject property is the final sale in the series of transactions to dispose of the entire unopened road allowance.

BACKGROUND:

On July 4, 2000, City Council adopted Section A-13 of the Transport and Environment Committee section of the Committee of the Whole meeting approving the stopping up, closure and sale of part of the unopened road allowance of Bedford Street.

Following City Council's directive of July 4, 2000 a series of sales to the abutting owners have closed in order to dispose of these lands. The sale of Parts 24, 25, 26, 27, 32, 33 and 36, Plan 62R-12578 is consistent with the direction of council.

Throughout 2002 the Real Estate Division requested that the two abutting owners declare their interest in purchasing part of the road allowance in accordance with their statutory rights. Eventually, the City entered into negotiations to dispose of the entirety of the subject lands to Mr and Mrs. Cocca, the abutting owners at 239 Rymal Road East. Subsequently, upon a successful resolution to these negotiations, an Offer to Purchase (Highway Closure) document was prepared for, Angelo and Angela Cocca. The negotiated price of $54,000 for the subject lands reflects the market value of these vacant lands.

ANALYSIS OF ALTERNATIVES:

The sale of a portion of the road allowance is in accordance with City Council's directive, approving Section A-13 of the Transport and Environment Committee at the Committee of the Whole, July 4, 2000.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial

That the proceeds of this sale are firstly to be used to reimburse the local improvement costs attributable to this parcel, this amount is estimated to be approximately $12,100 and is to be deposited to account number 8120055002-47702 (subdivision clearing-land sales). The remainder of the proceeds, approximately $41,900, is to be used to offset any shortfall in achieving the $1 million program reduction in Facilities to realize operating cost reductions. If these funds are not required to realize operating cost reductions, as noted above, this remainder may be contributed to the Reserve for Property Purchases.

Staffing

There are no staffing implications.

Legal

This sale meets the legal requirements set by the existing Municipal Act at the time the road closure was initiated.

POLICIES AFFECTING PROPOSAL:

The sale of this road allowance to the abutting homeowner is consistent with the established policies of the City of Hamilton to sell road allowances to abutting residential owners at market value. This sale also meets the requirements of the existing Provincial Legislation with regard to the disposal of public highways at the time the road allowance was originally stopped up and closed.

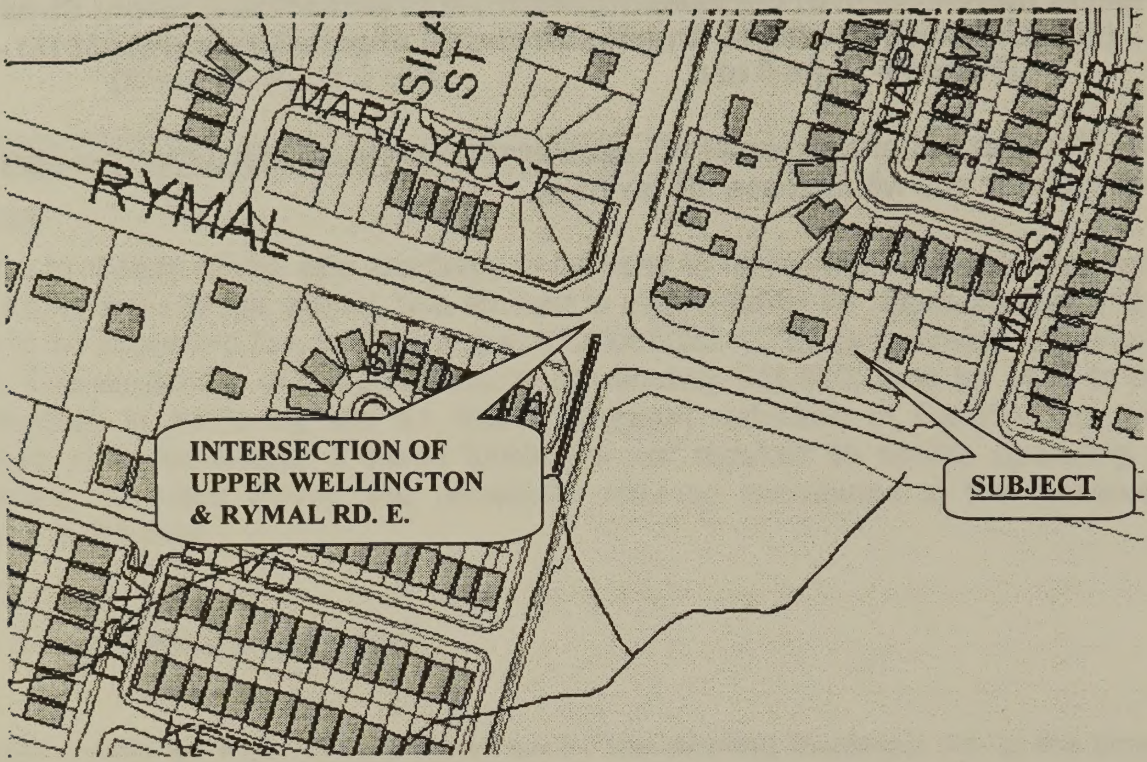
CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

None of the City Departments contacted declared an interest in maintaining the parcel as a public road allowance.

The Traffic Section of the Transportation, Operations & Environment Department completed a circulization on the stop-up, closure and sale of the subject road allowance to the following agencies: Bell Canada, Hydro One, Hamilton Hydro Inc. and Union Gas. The Transportation , Operations and Environment Department have reported that none of these agencies responded to the circulization. A lack of a response from an agency indicates that the agency does not require easement protection following the City's sale of a property.

CITY STRATEGIC COMMITMENT:

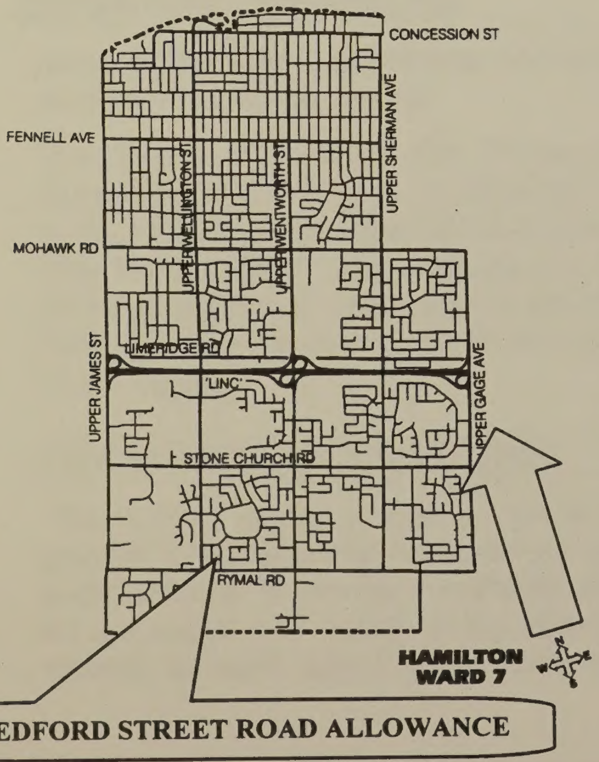
The subject parcel is part of an unopened road allowance that is being sold off in parcels to the abutting homeowners as per statute. The transfer of this parcel from the public domain to private ownership will allow the land and any subsequent structures to be assessed and taxed at the appropriate tax rate. It is believed that the purchaser intends to seek approval to build detached single family residences on the subject parcel. The disposal of this parcel will eliminate the need for the City to maintain this surplus property and will increase the tax base.


MARILYN CT
ST
RYMAL
MASS

INTERSECTION OF UPPER WELLINGTON & RYMAL RD. E.

SUBJECT

KEY MAP


CONCESSION ST
FENNELL AVE
MOHAWK RD
UPPER WELLINGTON ST
UPPER WENTWORTH ST
UPPER SHERMAN AVE
UPPER JAMES ST
LIMERIDGE RD
'LINC'
STONE CHURCH RD
UPPER GAGE AVE
RYMAL RD
HAMILTON
WARD 7

BEDFORD STREET ROAD ALLOWANCE

LOCATION PLAN

BEDFORD STREET ROAD ALLOWANCE

REAL ESTATE DIVISION
CORPORATE BUILDINGS AND REAL ESTATE
CITY OF HAMILTON

LEGEND

SUBJECT

SUBJECT LAND

SCALE **NOT TO SCALE**

REFERENCE FILE NO: **2002-060**

AFFECTS WARD 3

CITY OF HAMILTON

4.10

PUBLIC WORKS DEPARTMENT
Fleet & Facilities

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Peter M. Crockett, P.Eng. General Manager
Date:	March 14, 2003	**Prepared by:**	Helene Marcotte 905-628-4402

SUBJECT: Declaration of Surplus Property Vacant City Lands - 603 Burlington Street East, Hamilton (PW03012) - (Ward 3)

RECOMMENDATION:

(a) That the City owned vacant industrial lands located east of 601 Burlington Street East, Hamilton, described as Part 1 on Plan 62R10465, comprising an area of approximately 0.33 Hectares (0.83 acres), be declared surplus to the requirement of the City of Hamilton in accordance with the City of Hamilton Real Property Sale Procedural By-Law 95-049;

(b) That Real Estate be authorized and directed to sell the subject property in accordance with the Real Property Sale Procedural By-Law 95-049 and Item 21 of Report 01-029 of the Committee of the Whole approved by City Council on September 18, 2001 approving the Consolidation of Routine Real Estate Matters;

(c) That the net proceeds of sale be used first to help offset any shortfall in achieving the $1 million program reduction in Corporate Buildings and Real Estate to realize operating cost reductions and, if not required, be contributed to the Reserve for Property Purchases.

Peter M. Crockett, P.Eng.
General Manager
Public Works

EXECUTIVE SUMMARY:

The purpose of this report is to request City Council's approval to declare vacant lands described as Part 1 on Plan 62R10465 surplus to the requirements of the City of Hamilton and these lands to be sold at fair market value.

BACKGROUND:

The information/recommendations contained within this report primarily affect Ward 3.

The subject land is located on the north side of Burlington Street East, just west of Birch Avenue with dimensions of 41.65 m (136.66 feet) by 87.67 m (287.62 feet); comprising of an area of approximately 0.33 Hectares (0.83 Acres). The land is zoned "K" - Industrial.

The City of Hamilton recently obtained the subject parcel as a result of the municipal property tax arrears process. The lands were vested in the name of the City on January 20, 2003 as Instrument No. VM255865.

The former City of Hamilton adopted and enacted the Real Property Sale Procedural By-Law 95-049. This By-Laws requires that all municipally owned real property intended to be sold, be surplus to municipal requirements and if so, Council shall by by-law or resolution, declare the property surplus.

ANALYSIS OF ALTERNATIVES:

If Council does not choose to declare the lands surplus to the requirements of the City of Hamilton, as the lands would be exempt, there would be a loss of revenues from property taxes and the City would be required to expend funds to maintain and secure the lands.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial

If this recommendation is approved, staff will take the necessary steps to dispose of the subject property at a fair market value.

In accordance with corporate policy (Former City of Hamilton), the net proceeds of sale are to be contributed to the Reserve for Property Purchases. However, it is recommended that Council provide some flexibility to use such proceeds to offset any shortfall to the budget reduction of $1,000,000 in Corporate Buildings and Real Estate.

The goal of this reduction was to realize operating cost reductions and tax income.

Staffing

No municipal need has been expressed to retain the subject parcel.

Legal

N/A

POLICIES AFFECTING PROPOSAL:

Effective January 1, 1995 the Municipal Act was amended by Bill 163, requiring municipalities to enact a by-law to establish procedures for the sale of real property owned by a municipality. Subsequently, the former City of Hamilton adopted and enacted the Real Property Sale Procedural By-Law 95-049. This By-Law and in accordance with Item 21 of Report 01-029 of the Committee of the Whole approved by City Council on September 18, 2001 approving the Consolidation of Routine Real

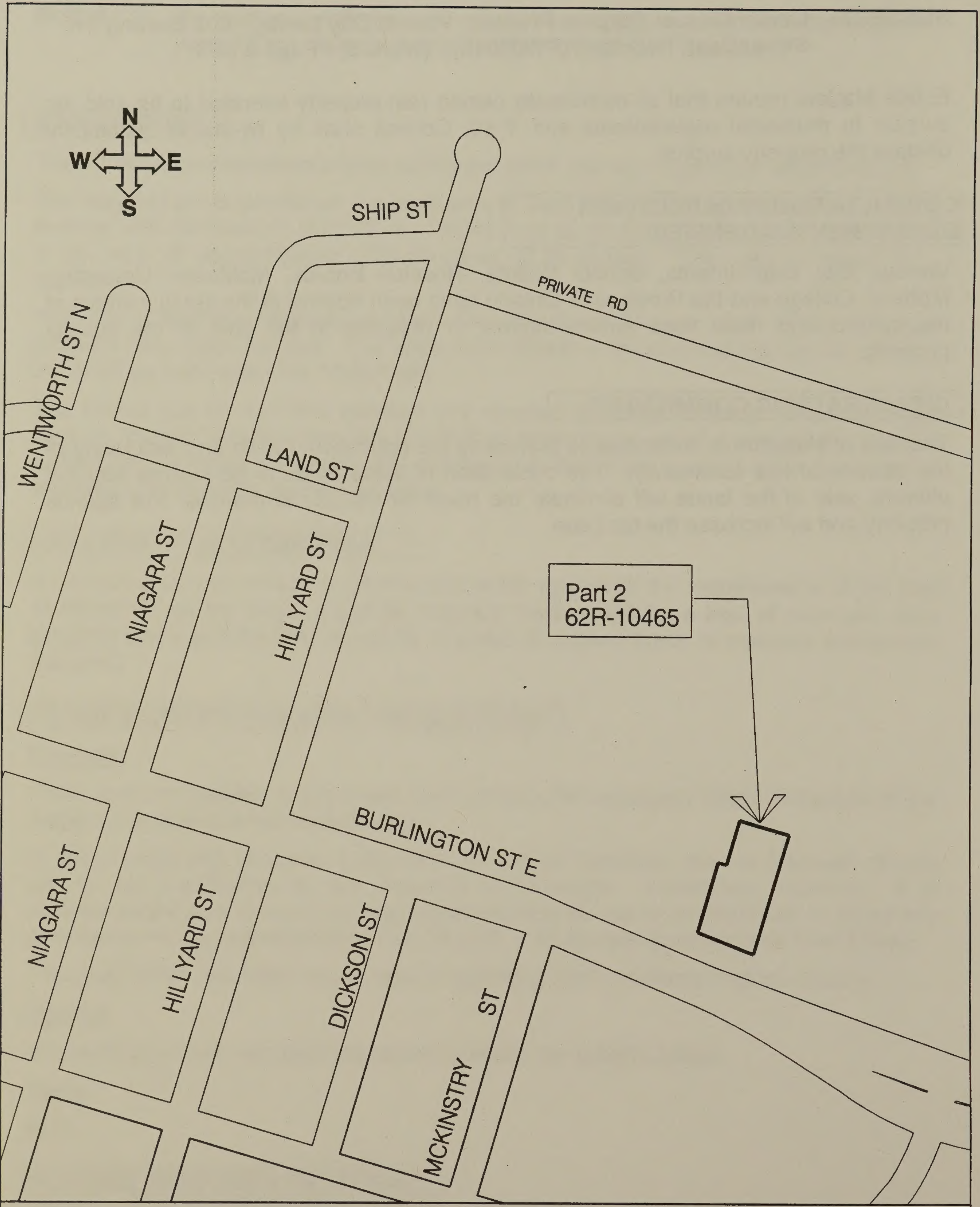
Estate Matters require that all municipally owned real property intended to be sold, be surplus to municipal requirements and if so, Council shall by by-law or resolution, declare the property surplus.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Various City Departments, School Boards, Hospital Boards, McMaster University, Mohawk College and the Province of Ontario have been notified of the surplus status of the subject and none have shown interest or objected to the sale of the subject property.

CITY STRATEGIC COMMITMENT:

The City of Hamilton is committed to promoting the education, health and well being of the citizens of this community. The declaration of these lands to be surplus and the ultimate sale of the lands will eliminate the need for the city to maintain this surplus property and will increase the tax base.


N
W
E
S
SHIP ST
PRIVATE RD
WENTWORTH ST N
LAND ST
NIAGARA ST
HILLYARD ST
Part 2
62R-10465
BURLINGTON ST E
NIAGARA ST
HILLYARD ST
DICKSON ST
MCKINSTRY ST

—— Subject Land

City of Hamilton

Ward 3

603 Burlington Street

Surplus Property

CITY OF
HAMILTON
Public Works Department
General Manager, Peter M. Crockett, P. Eng.

DATE: March 17, 2003

N.T.S.

CITY WIDE IMPLICATIONS

4.11

CITY OF HAMILTON

CORPORATE SERVICES DEPARTMENT
Corporate Management Services - Investments

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Joseph L. Rinaldo, General Manager
Date:	March 6, 2003	**Prepared by:**	Gerry T. Boychuk Ext 4321

SUBJECT: "DBRS 2003 Credit Rating" (FCS03070) (City Wide)

RECOMMENDATION:

That Report FCS03070 "Dominion Bond Rating's 2003 Credit Rating" be received for information.

Joseph Rinaldo

Joseph L. Rinaldo, General Manager
Corporate Services

EXECUTIVE SUMMARY:

Financial: The City Of Hamilton's long-term credit rating with the Dominion Bond Rating Service is unchanged for 2003 at AA (High) for 2003 however, the outlook was changed from stable to negative. Our external borrowing costs for capital projects should remain unaffected on a relative basis to other municipalities from a credit perspective. The DBRS Report is attached as Schedule A to FCS03070.

BACKGROUND:

Our long-term rating reflects a high quality AA (High). The City's long-term debt rating reflects past management and the expectations of fiscally responsible management of the City going forward reflecting 2003 and beyond projected debt levels. DBRS has assigned a "Trend Now Negative" to this rating which is based upon projected debt levels into 2006.

The rating assigned is very high and exceeds Toronto's AA rating, but projected tax supported debt increases going forward will put the City of Hamilton at a significantly higher debt level than comparable municipalities.

The credit report gives the City recognition for its economic and financial position with a AA (High) rating, but points out that projected debt pushes the envelope for such a rating all things being equal. Due to a new waste management strategy and construction of the Red Hill Valley Expressway, City per capita debt will likely exceed $700. This amount would put the City in at a relatively high level for this credit rating and a further increase beyond this level would likely warrant further rating action.

DBRS points out that the City faces other challenges, which may cause financial strains. Specifically, financial flexibility is reduced as business growth is being impeded by a relatively high tax levy. Significant tax arrears are pointed out as a financial impediment, along with an increased role in social welfare and social housing costs both of which tend to be very economically sensitive.

The current long-term ratings of the City of Hamilton are AA (High) from Dominion Bond Rating Service and AA from Standard and Poor's. Both ratings reflect a high quality long-term rating of Hamilton allowing the City to achieve better financing rates and access expanded investment opportunities for reserves.

The long-term credit history of the City Of Hamilton is as follows:

Company Name	**Rating History (formerly Region of Hamilton/Wentworth)**
Standard and Poors (formerly CBRS)	**AA: since 1999** **AA +: 1994 to 1999** **AAA: 1989 to 1994**
Moody's	**Aa3: since 1995** **Aa2: 1988 to 1995**
Dominion Bond Rating Service	**AA(High): Since 1994** **Currently Negative Outlook**

*Please note that Moody's will no longer be rating the City. From a practical standpoint and cost perspective, three credit rating agencies were not required. After due consideration and interviews with rating agencies a decision was made to eliminate Moody's

Long-term rating Peer comparison (using Standard and Poor's equivalent scale)

Municipality (or Regional Municipality)	**Rating**
Hamilton	**AA**
Toronto	**AA**
Niagara	**AA**
London	**AAA (Moody's)**
Waterloo Region	**AAA (Moody's)**
York Region	**AAA**
Durham Region	**AAA**
Halton Region	**AAA**
Peel	**AAA**

ANALYSIS OF ALTERNATIVES:

None applicable

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Reaffirmation of our credit rating should prevent any deterioration in our long-term borrowing costs due to rating/risk related factors.

POLICIES AFFECTING PROPOSAL:

None

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Not applicable

CITY STRATEGIC COMMITMENT:

Maintaining a strong credit rating is consistent with and forms an integral part of Strategic Commitment #5 – "A City That Spends Wisely & Invests Strategically".

The City of Hamilton

Report Date: March 11, 2003
Press Released: March 3, 2003
Previous Report: January 14, 2002

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RATING

Rating	Trend	Rating Action	Debt Rated
AA (high)	Negative	Trend Change	Senior Debentures

RATING HISTORY

	Current	2001	2000	1999	1998	1997	1996
Senior Debentures	AA (high)	AA (high)	AA (high)	AA (high)	AA (high)	AA (high)	AA (high)

RATING UPDATE

DBRS confirms the City of Hamilton's (the "City") long-term rating as indicated above, but changes the trend from Stable to Negative. The rating action reflects a deterioration in the City's net tax-supported debt outlook resulting from an increase in the medium-term capital spending plan.

The fiscal balance improved markedly in 2001, as operating efficiencies from amalgamation, in tandem with a curtailment of capital investment, allowed the City to post a core surplus of $6 million, versus a $30 million deficit the previous year (DBRS-adjusted after capital expenditures). Despite the improved operating performance, new financing for road construction contributed to a 19% jump in net tax-supported debt to $140 million, the first increase in six years.

While final results for 2002 were not available at the time of this report, estimates point to a modest budget deficit at year-end. Since the City is legislatively prevented from recording a budget deficit, a transfer from the tax stabilization reserve will be used to offset any shortfall. For the second consecutive year, net tax-supported debt is expected to have increased, notably due to $60 million in new debt to finance various tax-supported capital projects.

The 2003 tax-supported budget should come in at, or near, balanced levels. However, the outlook for tax-supported debt is troublesome. In the proposed 2003 budget, the City increased its ten-year net tax-supported debt projections to reflect additional borrowing related to the new waste management strategy and construction of the Red Hill Valley Expressway. Under current projections, net tax-supported debt is expected to rise 145% over 2001 levels to $372.9 million by 2006, resulting in a gradual weakening in the City's financial profile. On a per capita basis, net tax-supported debt would likely exceed $700, which is relatively high compared to other large Canadian municipalities. Any further increase to the tax-supported debt outlook would likely warrant further rating action.

The City is confronted with several other challenges going forward. First, a heavy business tax burden restrains financial flexibility and acts as a drag on economic growth. Second, high tax arrears continue to hinder cash flows. Finally, the City's responsibility for funding social welfare and social housing increases the volatility of spending requirements due to the economic sensitivity of the programs.

RATING CONSIDERATIONS

Strengths:

- Track record of conservative fiscal management
- Sound economic profile
- Ongoing efficiency savings and operating cost reductions resulting from amalgamation
- Ownership of Hamilton Utilities Corporation

Challenges:

- Managing the financing of significant capital expenditures
- Currently heavy business property tax burden
- High tax arrears
- Increased exposure to economically sensitive program expenditures

FINANCIAL INFORMATION

	For the year ended December 31				
	2001*	2000*	1999	1998	1997
Operating surplus ($ millions - before capital expenditures)	106	99	129	118	68
Core surplus (deficit) ($ millions - after capital expenditures)	6	(30)	22	42	(5)
Capital expenditures as a % of total expenditures	13.9%	16.5%	14.0%	14.4%	15.4%
Net tax-supported direct debt ($ millions)	140	117	129	151	180
Tax-supp. debt, unfund. pension and contingent liab. per capita ($)	561	555	743	743	785
Total taxes as a % of market value of real estate	2.6%	2.7%	3.0%	3.1%	2.4%
Tax arrears as a % of current levy	12.4%	13.2%	12.3%	19.3%	11.0%
Population	503,043	498,195	494,223	490,303	486,376
Population growth	1.0%	0.8%	0.8%	0.8%	1.0%
Unemployment rate	6.1%	5.0%	4.9%	5.2%	6.5%
Total property taxes and user fees per capita ($)	1,686	1,739	1,764	1,822	1,744

Source: City of Hamilton, Statistics Canada, DBRS estimates.

* 2001 and 2000 figures are not comparable with prior years, as they relate to the amalgamated City of Hamilton, while previous years are a consolidation of the regional municipality and its lower-tier municipal constituents.

THE CITY

On January 1, 2001, the Regional Corporation and six lower-tier municipalities (the Cities of Hamilton and Stoney Creek, the Towns of Ancaster, Dundas, and Flamborough, as well as the Township of Glanbrook) were amalgamated into the City of Hamilton. The census metropolitan area of Hamilton has a population of approximately 500,000 (2002), making it Canada's ninth-largest urban centre.

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RATING CONSIDERATIONS

Strengths: (1) The City of Hamilton has generally employed [illegible] conservative approach to fiscal management, with a strong emphasis on pay-as-you-go capital financing. This has enabled the City to maintain a light tax-supported debt burden, which provides a considerable degree of financial flexibility compared to other large Canadian municipalities rated by DBRS. However, flexibility is likely to be compromised over the medium term, as the City addresses its capital expenditure deficit, which is expected to result in a significant amount of new debt.

(2) Sound economic fundamentals, including a close proximity to major markets in both the U.S. and Canada, provide stability to the property tax base. Moreover, the local economy enjoys relatively low unemployment rates, and has undergone considerable economic diversification over the past decade. While it remains heavily reliant on the cyclical steel industry, the hospital sector has taken over as the top employer. Over the medium term, economic development initiatives within the downtown core, in partnership with declining business tax rates, should lead to a more favourable business environment and further improve economic fundamentals.

(3) Amalgamation has generated an estimated $46 million in annual savings, achieved largely through staff reductions. Savings have been use to alleviate various spending pressures and reduce business taxes.

(4) In 1998, the *Energy Competition Act* established Ontario municipalities as the sole owners of their local municipal electric utilities. Accordingly, the City owns the Hamilton Utilities Corporation ("HUC"), with net assets of $280 million as of 2001. In addition, HUC provides the City with a modest boost to revenue, through a dividend equal to 50% of its earnings, which translated into approximately $3 million in 2002.

Challenges: (1) Like all large Canadian municipalities, the City is confronted with substantial capital requirements in order to preserve its infrastructure base and meet growth demands. Increased demand for external financing resulting from the City's ten-year capital plan is expected to cause net tax-supported debt to rise 145% over 2001 levels by 2006, placing upward pressure on property taxes and user fees and, in turn, reducing the City's financial flexibility.

(2) Relatively high business taxes impair financial flexibility and act as a drag on economic growth. Business tax rates currently exceed the orovincial threshold, which has triggered a business tax freeze under Bill 140 (*Continued Protection to Taxpayers Act*). As a result, increases to the property tax levy are borne entirely by the residential tax class, which limits the extent to which the City can raise taxes to meet spending pressures (in 2002, a 3.4% increase in the property tax levy translated into a 5.7% hike in residential taxes). The City expects rates to fall to provincial threshold levels over the next three to five years.

(3) Tax arrears are considerably higher than other large Canadian municipalities. The City has tightened its collection process in recent years, as evidenced by the reduction in tax arrears as a percentage of the total tax levy in 2001. This should help improve cash flows going forward.

(4) The City's responsibility for partial funding of social welfare and housing increases volatility of spending requirements, as the cost of delivering social programs typically varies in accordance with the business cycle. Although the City has essentially become an extension of the Greater Toronto Area, it does not benefit from the pooling of social costs with neighbouring municipalities, as is currently done with the City of Toronto.

FISCAL PERFORMANCE

- In 2001, the first year of amalgamation, the City realized a core surplus of $5.7 million (DBRS-adjusted after capital expenditures)
  - Substantial improvement over the $29.5 million deficit recorded in 2000
- Improved performance largely the result of operating efficiencies achieved through amalgamation, and a reduction in capital investment
  - $23 million in savings resulting from amalgamation help contain spending growth to below the rate of inflation

2002:

- While the 2002 financial statements are not yet available, projections point to a $7 million deficit in the tax-supported budget at year-end (before year-end transfer from tax stabilization reserve)
  - Recent estimates from the City suggest that the final shortfall will be less
- Key factors behind the projected fiscal imbalance include: (1) replacement parts for transit vehicles and higher-than-expected fuel prices; (2) additional waste management costs; and (3) corporate restructuring expenses
- Budget included a 3.4% increase in the property tax levy
  - Due to the legislative freeze on business tax rates, this led to a 5.7% increase in residential property taxes
- Business taxes remained on the decline, as the HUC dividend and revenues from taxable assessment growth were used to shave an additional $7.1 million off business taxes
  - The Province of Ontario (the "Province") complemented this reduction with a further $11.6 million cut in education property taxes
- Police and emergency services continued to be a key spending pressure. Budget included:
  - 4.2% increase to the police services budget mostly related to salary and benefit adjustments
  - 3.9% increase in land ambulance funding to cover major service enhancements
- $141 million tax-supported capital budget is slightly higher than previous year. Key drivers:
  - Roads, including construction of the Red Hill Valley Expressway
  - Investment related to a new citywide fleet strategy

- Starting in 2002, the electric utility pays the City an annual dividend equal to 50% of net earnings
  - Allocated towards business tax reductions in 2002

2003 budget and beyond:

- Proposed 2003 budget recommends a 3.5% increase in the property tax levy to achieve fiscal balance
  - Since business taxes will once again remain frozen, the higher levy will be financed by a 5.8% increase in residential taxes
- Budget allocates revenues from taxable assessment growth towards reducing the business tax levy by an estimated $3.8 million
- Police and emergency services remain key spending pressures. Together they account for 4.6% of the proposed 5.8% residential tax increase
- Considerable uncertainty introduced in the outlook by the present backlog of expired labour contracts
  - All labour negotiations are postponed as workers reorganize under one union
  - Move will likely improve workers' bargaining leverage, potentially leading to increased salary pressures
- Capital budget is slated to rise 14% to $161 million
  - Red Hill Valley Expressway and the solid waste management strategy are the largest items
- Capital investment is projected to peak in 2003 and trend downward to the $90 million level by 2012
  - Completion of the Red Hill Valley Expressway and a desire to move to full pay-as-you-go financing by 2007 are the main factors behind the decline
- However, the City will continue to face an infrastructure deficit
  - Over the next ten years, the capital plan identifies $1.5 billion in capital needs, while only providing $1.1 billion in funding

DEBT AND LIQUIDITY

- Faced with heavy capital financing requirements, the City saw its level of tax-supported debt jump 19.2% to $139.8 million in 2001 (net of sinking fund assets)
  - Key driver was the issuance of $55 million in debt to fund various road construction projects
- On a per capita basis, net tax-supported debt increased by $43 to $278, but still remained relatively low, compared to other large Canadian municipalities rated by DBRS
- Net tax-supported debt is expected to have increased in 2002, due to $60 million in new borrowing related to various capital projects
- **Net tax-supported debt is expected to remain on an upward trend over the medium term, exerting downward pressure on the City's credit profile**
  - Projections suggest that net tax-supported debt could reach $373 million by 2006, a 145% increase over 2001
  - Majority of the increase is related to the Red Hill Creek Expressway and the solid waste management plan
- Further upward revisions in the tax-supported debt outlook would likely warrant a rating action
- Self-supported debt is also projected to rise significantly
  - From $19.2 million in 2001, to a peak of $284 million by 2007
  - Debt will be financed entirely through user fees
- The City's liquidity position deteriorated slightly in 2001
  - Cash and temporary investments fell to just over $8 million, from $19.5 million the previous year
- However, the City holds a considerable amount of marketable investments
  - Unrestricted investments and own-holdings of debentures increased 36% to $333.2 million in 2001
- In 2001, financial assets covered current liabilities 3.6 times, an improvement over 2.3 times the previous year
- On the other hand, rising debt levels pushed the financial assets to net tax-supported debt ratio down to 3.7, versus 4.7 in 2000
- The City has access to a $65 million committed line of credit to support operations, should the need arise

ECONOMIC OUTLOOK

- Unemployment rate up to 6.1% in 2001, from 5.0% the previous year
  - However, the rate remained below the Ontario average of 6.3% and Canadian average of 7.2%
- Despite the growing ranks of unemployed, the number of social welfare cases per 1000 people slipped to 22, its lowest level in over a decade

- The housing sector was a bright spot for the City's economy in 2001. Spurred on by relatively low interest rates and modest population growth, housing starts jumped 21.5%
  - However, the real value of building permits issued in the commercial, industrial, and institutional sectors fell 8.3%, which partially offset residential growth
- Accelerated economic activity in Canada and the U.S. is expected to have improved the City's export activity in 2002
- However, the unemployment rate is expected to have increased markedly, as expansion of the labour force continued to outpace job creation
  - As of August 2002, the unemployment rate had risen to 7.5%, compared to the national and provincial average of 7.7%
- The City's economic base is anchored by the health care and steel industries
  - Health care is the top employer
  - Steel and primary metals production sector is the number two employer, supported by the presence of major facilities operated by Stelco and Dofasco
- Despite strong economic activity in recent years and its strategic location as a part of the "Golden Horseshoe" industrial corridor, the City continues to experience slower population growth compared to the rest of the Greater Toronto Area

RESPONSIBILITIES OF MUNICIPALITIES

	Vancouver	Calgary and Edmonton	Winnipeg	Ontario Municipalities
Social welfare	No	No	Cost to Winnipeg fixed at $18 million/year	20% municipal/ 80% provincial
Social housing	No (1)	Yes (1)	No (4)	Yes
Water and sewer services	Yes (2)	Yes	Yes	Yes
Solid waste	Yes	Yes	Yes	Yes
Public transit	Yes (3)	Yes	Yes	Yes
Police and fire services	Yes	Yes	Yes	Yes

[illegible]) Vancouver is responsible for delivering the service, but is fully reimbursed by the province. Calgary and Edmonton have housing corporations that are funded largely by more senior levels of government.

(2) Water and sewer services are the responsibility of local government. Vancouver owns and operates the water distribution and sewage collection systems, while water and sewage treatment services are performed by a third party and are partially funded through municipal taxes.

(3) Public transit is the responsibility of local government, but service is provided by a third party and partially funded through municipal taxes.

(4) While the Province is responsible for delivering social housing services, the City provides partial funding.

- Although the City is responsible for many of the same services as other major municipalities currently rated by DBRS, differences exist that affect the relative risk profiles
- The greater responsibility of Ontario municipalities for social welfare and social housing programs translates in a relatively higher risk profile
  - In a period of economic downturn, greater spending requirements related to social programs places pressure on the fiscal balance
- It is unlikely that Ontario municipalities will be delegated additional responsibilities in the future, due to the extensive downloading that has already taken place during the late 1990s
- Vancouver's relatively small amount of responsibilities provides it with less risk exposure compared to Ontario municipalities

City of Hamilton*

($ thousands)

Summary	2001	2000**	1999	1998	1997
	For the year ended December 31				
Operating revenues	920,594	903,134	948,214	881,758	736,331
Operating expenditures	814,470	803,756	819,368	764,135	668,459
Operating surplus	106,124	99,378	128,846	117,623	67,872
Net capital expenditures (1)	100,456	128,895	107,032	75,133	72,974
Core surplus/(deficit) after capital expenditures	5,668	(29,517)	21,813	42,490	(5,102)
Non-recurring revenues/expenditures (2)	0	266,897	0	0	0
Surplus/(deficit) after capital expenditures	5,668	237,380	21,813	42,490	(5,102)
Revenues					
Municipal property taxes (3)	478,421	486,538	484,814	491,025	348,566
Fees and user charges	167,890	166,696	172,439	178,958	173,425
Grants from other governments	200,799	193,932	243,253	166,647	170,248
Other revenues (4)	66,443	55,152	47,708	45,128	44,092
Net income of Hamilton Utilities Corporation	7,041	816	-	-	-
Operating revenues	920,594	903,134	948,214	881,758	736,331
Capital funding (5)	31,250	30,494	26,610	53,219	49,036
Total revenues	951,844	933,628	974,824	934,977	785,367
Education property tax collected on behalf of Province	201,668	213,211	214,681	223,360	326,315
Expenditures					
General government	74,641	88,216	90,473	64,100	67,345
Protection	126,004	128,885	126,834	125,768	120,163
Transportation	124,382	123,696	133,070	111,227	114,260
Environment	82,264	81,299	68,761	68,841	67,786
Health, social services, and social housing	300,926	288,174	287,774	266,501	175,921
Recreation, planning, and other	106,253	93,486	86,436	99,916	93,134
Interest costs (6)	-	-	26,021	27,782	29,850
Operating expenditures (4)	814,470	803,756	819,368	764,135	668,459
Capital expenditures	131,706	159,389	133,643	128,351	122,010
Total expenditures	946,176	963,145	953,011	892,487	790,469
Property Taxes Per Capita					
Municipal	951	977	981	1,001	717
Total property taxes (municipal + education)	1,352	1,405	1,415	1,457	1,388
Total property taxes and user fees	1,686	1,739	1,764	1,822	1,744
Sources (Uses) of Financing During the Period					
Drawdown from/(contribution to) own funds	(61,386)	48,249	(8,954)	(25,546)	22,932
Net debt issuance/(retirement)	42,493	(12,095)	(13,746)	(15,540)	(17,836)
Total financing during the period	(18,893)	36,154	(22,700)	(41,086)	5,096

* 2001 and 2000 figures are not comparable with prior years, as they relate to the amalgamated City of Hamilton, while previous years are a consolidation of the regional municipality and its lower-tier municipal constituents.

** In 2000, the region and area municipalities (now the City of Hamilton) adopted the CICA Handbook recommendations for the public se
As a result, the 2000 results reflect various changes in accounting (namely accrual of certain expenses). Prior periods have not been rest
Also in 2000, ownership of the net assets of the Hamilton Hydro was transferred to the City.

(1) Capital expenditures less capital grants and capital revenues; excludes proceeds from new debt issuance and transfers from own funds

(2) Non-recurring revenues of $267 million in 2000 due to transfer of net assets of Hamilton Hydro to the City

(3) Includes payments-in-lieu of taxes for federally and provincially owned properties; does not include education property taxes

(4) Excludes transfers to/from own funds; also includes income from reserves and reserve funds

(5) Capital grants from other governments and other revenues for capital works; excludes the proceeds from debt issued for capital projects during the year and transfers from own funds

(6) As of 2001, interests costs have been incorporated into each expenditure category (interest costs amounted to $26.3 million in 2000 an

City of Hamilton*

Balance Sheet
($ thousands)

	For the year ended December 31				
Assets	2001	2000**	1999	1998	1997
Cash and temporary investments	8,096	19,461	130,251	45,001	60,833
Taxes receivable	84,418	92,633	86,136	137,567	74,187
Accounts receivable	51,898	134,833	98,722	99,809	92,182
Other, including inventories and supplies	10,878	14,151	34,884	25,727	24,325
Investments	367,388	282,597	223,742	200,383	176,330
Total financial assets	522,678	543,675	573,735	508,487	427,857
Investment in government business enterprises (1)	280,066	273,025	-	-	-
Total assets	802,744	816,700	573,735	508,487	427,857
Liabilities					
Short-term debt	-	-	83,128	51,525	7,164
Accounts payable and other short-term liabilities	146,798	238,079	184,115	159,793	149,084
Total current liabilities	146,798	238,079	267,243	211,318	156,248
Long-term debt	172,260	142,002	163,202	190,915	211,592
Deferred revenue	53,758	41,234	-	-	-
Post-employment benefits and other liabilities	139,352	122,712	-	-	-
Total liabilities	512,168	544,027	430,445	402,233	367,840
Equity					
Revenue fund balance	947	889	5,378	409	2,455
Capital fund balance	37,353	(56,711)	(31,205)	2,691	18,393
Reserves and reserve funds	283,526	316,262	334,517	296,635	253,341
Equity in government business enterprises	280,066	273,025	-	-	-
Less: amounts to be recovered in future years	(311,316)	(260,792)	(165,399)	(193,482)	(214,172)
Total liabilities and equity	802,744	816,700	573,735	508,487	427,857
	290,576	272,673	143,290	106,254	60,017
Net Long-Term Debt					
Total net debt	228,552	203,655	232,262	264,382	295,380
Less: net self-supporting debt	(20,236)	(22,574)	(34,325)	(38,860)	(35,689)
net school board debt	(56,292)	(61,653)	(66,996)	(72,376)	(77,254)
own holdings of debt	(12,190)	(2,152)	(2,198)	(2,567)	(2,580)
Net Tax-Supported Long-Term Debt	139,834	117,276	128,743	150,579	179,857
Long-Term Commitments & Cont. Liabilities**	85,881	97,788	171,484	141,457	124,764
Interest Costs and Debt Service Costs					
Total interest costs (2)	24,905	26,310	26,021	27,782	29,850
Total debt service costs (2)	37,411	38,426	39,767	43,322	47,686

Long-Term Commitments & Contingent Liabilities
as at December 31
($ thousands)

	2001	2000**
Vested sick leave credits	-	-
Workers' compensation	-	-
Unfunded pension liabilities	-	-
Commitments for leases	29,589	36,135
Net debt issued on behalf of school boards	56,292	61,653
	85,881	97,788

Gross debt maturity schedule
as at December 31, 2001

	(%)
< 5 years	68.1%
5-10 years	23.5%
> 10 years	8.4%
Total	100.0%

- * 2001 and 2000 figures are not comparable with prior years, as they relate to the amalgamated City of Hamilton, while previo are a consolidation of the regional municipality and its lower-tier municipal constituents.
- ** In 2000, the Regional Corporation and area municipalities adopted the CICA Handbook recommendations for the public sect As a result, the 2000 results reflect various changes in accounting, incl. the recording of post-employment benefits on the bal These liabilities are included in DBRS's calculation of long-term commitments & cont. liabilities. Prior periods have not been

(1) Primarily net assets of Hamilton Hydro, which were transferred to the City in 2000. Includes the $135 million promissory note from Hamilton Hydro

(2) Includes debt service costs of consolidated self-supporting utilities

City of Hamilton*

	For the year ended December 31				
Fiscal Performance	2001	2000	1999	1998	1997
Operating surplus/operating revenues	11.5%	11.0%	13.6%	13.3%	9.2%
Surplus (deficit) after capital expenditures/total revenues	0.6%	(3.2%)	2.2%	4.5%	(0.6%)
Capital expenditures/total expenditures	13.9%	16.5%	14.0%	14.4%	15.4%
Taxable assessment growth (1)	9.2%	1.5%	0.9%	n.a.	0.1%
Change in average total property tax rate	(11.0%)	(1.5%)	(3.0%)	n.a.	1.3%
Total property taxes/taxable assessment (2)	2.6%	2.7%	3.0%	3.1%	2.4%
Tax arrears as % of current levy	12.4%	13.2%	12.3%	19.3%	11.0%
Liquidity Analysis					
Financial assets/current liabilities (times)	3.56x	2.28x	2.15x	2.41x	2.74x
Financial assets/net tax-supported debt (times)	3.74x	4.64x	4.46x	3.38x	2.38x
Current liabilities/total liabilities	28.7%	43.8%	62.1%	52.5%	42.5%
Liquid assets (cash and& temporary investments) as a proportion of:					
- Operating revenues	0.9%	2.2%	13.7%	5.1%	8.3%
- Current liabilities (times)	0.06x	0.08x	0.49x	0.21x	0.39x
- Net tax-supported debt (times)	0.06x	0.17x	1.01x	0.30x	0.34x
Accumulated funds balance ($ millions)	322	260	309	300	274
- % change	23.6%	(15.6%)	3.0%	9.3%	(7.7%)
- as a % of operating expenditures	39.5%	32.4%	37.7%	39.2%	41.0%
Debt and Debt Service					
Interest costs/operating expenditures	3.06%	3.27%	3.18%	3.64%	4.47%
Operating surplus/interest costs (times)	4.26x	3.78x	4.95x	4.23x	2.27x
Debt service costs/operating expenditures	4.59%	4.78%	4.85%	5.67%	7.13%
Operating surplus/debt service costs (times)	2.84x	2.59x	3.24x	2.72x	1.42x
Net tax-supported debt:					
per capita	$278	$235	$260	$307	$370
as a % of operating revenues	15.19%	12.99%	13.58%	17.08%	24.43%
as a % of taxable assessment (2)	0.53%	0.49%	0.55%	0.64%	0.63%
Tax-supp. debt, long-term comm. & cont. liab. per capita	$561	$555	$743	$743	$785
Operating surplus/net tax-supported debt	75.9%	84.7%	100.1%	78.1%	37.7%
Accum. funds balance/net tax-supp. debt (times)	2.30x	2.22x	2.40x	1.99x	1.52x
Accum. funds bal./tax-supp. debt, l.t. comm. & cont. liab.	1.43x	1.21x	1.03x	1.03x	0.90x

	For the year ended December 31				
Social and Economic Data	2001	2000	1999	1998	1997
Nominal GDP growth (Province)	1.5%	4.6%	7.6%	4.8%	6.3%
Population (Hamilton)	503,043	498,195	494,223	490,303	486,376
Population growth	1.0%	0.8%	0.8%	0.8%	1.0%
Value of building permits ($ millions)	515	480	370	440	353
Housing starts	1,873	1,556	1,923	1,848	1,991
Unemployment rate (CMA)	6.1%	5.0%	4.9%	5.2%	6.5%
Employment (CMA, in thousands)	338	350	329	329	315
Welfare caseload (average/month) (3)	11,159	12,377	13,968	10,661	11,429
Welfare caseload per 1,000 population	22	25	28	22	23

Source: City of Hamilton, Statistics Canada, DBRS estimates

* 2001 and 2000 figures are not comparable with prior years, as they relate to the amalgamated City of Hamilton, while previous years are a consolidation of the regional municipality and its lower-tier municipal constituents.

(1) Assessment method changed to Current Value Assessment (CVA) in 1998, based on 1996 values

(2) Equalized taxable assessment is used prior to 1998 as a proxy for current value assessment.

(3) Increase in 1999 due to transfer of 4,800 cases from Province to Region

dbrs

Press Release

Dominion
Bond
Rating
Service
Limited

Date of Release: March 3, 2003 Government Finance

DBRS Confirms the City of Hamilton at AA (high), Trend Now Negative

Paul Judson; Eric Beauchemin, CFA/ 416-593-5577 ext. 2261, ext. 2252 / pjudson@dbrs.com

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Rating	Trend	Rating Action	Debt Rated
AA (high)	Negative	Trend Change	Senior Debentures

DBRS confirms the City of Hamilton's (the "City") long-term rating as indicated above, but changes the trend from Stable to Negative. The rating action reflects a deterioration in the City's net tax-supported debt outlook resulting from an increase in the medium-term capital spending plan.

While final results for 2002 were not available at the time of this report, estimates point to a modest budget deficit at year-end. Since the City is legislatively prevented from recording a budget deficit, a transfer from the tax stabilization reserve will be used to offset any shortfall. For the second consecutive year, net tax-supported debt is expected to have increased notably due to $60 million in new debt to finance various tax-supported capital projects.

The 2003 tax-supported budget should come in at, or near, balanced levels. However, the outlook for tax-supported debt is troublesome. In the proposed 2003 budget, the City increased its ten-year net tax-supported debt projections to reflect additional borrowing related to the new waste management strategy and construction of the Red Hill Valley Expressway. Under current projections, net tax-supported debt is expected to rise 145% over 2001 levels to $373 million by 2006, resulting in a gradual weakening in the City's financial profile. On a per capita basis, net tax-supported debt would likely exceed $700, which is relatively high compared to other large Canadian municipalities. Any further increase to the tax-supported debt outlook as presented would likely warrant further rating action.

The City is confronted with several other challenges going forward. First, a heavy business tax burden restrains financial flexibility and acts as a drag on economic growth. Second, high tax arrears continue to hinder cash flows. Finally, the City's responsibility for funding social welfare and social housing increases the volatility of spending requirements due to the economic sensitivity of the programs.

Dominion Bond Rating Service Limited (DBRS) will publish a full report shortly that will provide additional analytical detail on this rating action. If you are interested in receiving this report, please contact us at: info@dbrs.com.

DBRS is a Toronto-based, full-service credit rating agency established in 1976. Privately owned and operated without affiliation to any organization, DBRS is respected for its independent, third-party evaluations of corporate and government issues, spanning North America, Europe and Asia. DBRS's extensive coverage of securitizations and structured finance transactions solidifies our standing as a leading provider of comprehensive, in-depth credit analysis.

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WARD 13
IMPLICATIONS

CITY OF HAMILTON

4.12

PUBLIC HEALTH & COMMUNITY SERVICES
Culture and Recreation

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	William E. Fenwick, Acting General Manager Community Services
Date:	March 21, 2003	**Prepared by:**	Marie Worne 546-4646

SUBJECT: **Allan Cup 2003**
Canadian Amateur Senior Hockey Tournament – Sale of Alcohol
J.L. Grightmire Arena on Market Street - April 14-19th, 2003
(HCS03003)(Ward 13)

RECOMMENDATION:

(a) That approval, as required under the Standard Terms and Conditions of the Special Events Guidelines, be given to The Dundas Real McCoy's to sell alcohol at the Allan Cup Canadian Amateur Senior Hockey Championship at the outdoor beer garden being held at J.L. Grightmire Arena on Market Street, on Monday April 14 to Saturday April 19th 2003 from 4:00pm – 11:30p.m;

(b) That Council approve the issuance of a Special Occasion Permit to the Dundas Real McCoy's for the Allan Cup in accordance with the A.G.C.O. licensing guidelines.

William E. Fenwick, Acting General Manager of Community Services
Public Health and Community Services

EXECUTIVE SUMMARY:

This event is for the Canadian Amateur Senior Hockey Championship Hockey Tournament - The Allan Cup. Event organizers are seeking approval to host a beer garden at J.L. Grightmire Arena (in the parking lot) for five days in April.

BACKGROUND:

The event organizers made application to the city for a community grant in January and submitted an event proposal to the Special Events Advisory Team. Event organizers have met with SEAT to review the proposal that consist of a 5-day hockey tournament.

The event organizers feel that this tournament will generate economic benefit to the City of Hamilton. The event organizer has begun to publicize the event and has generated interest and momentum towards the tournament. Staff have asked the organizers to utilize Hamilton based community, non-profit organizations to assist with the event, to generate financial benefit for their local organization.

A map of the event in the parking lot is attached for reference.

Staff will continue to meet with event organizers to ensure all guidelines and policies are adhered to.

ANALYSIS OF ALTERNATIVES:

Council is required to approve first time events requesting the sale of alcohol on public lands.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The Municipal Alcohol Policy requires that permission must be obtained from City Council for all first time events to sell alcohol on public property.

Event organizers are also seeking additional funding from partners in the community to assist with expenses.

POLICIES AFFECTING PROPOSAL:

All applicants must adhere to the Special Events Guidelines/Policy and staff will work together with organizers to ensure all guidelines/policies are adhered to.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Culture and Recreation, Parks, Buildings and Fire Services have been consulted.

CITY STRATEGIC COMMITMENT:

The events are consistent with the goals and objectives of Vision 2020 thus contributing to the quality of life of the citizens the City of Hamilton.

SECTION 5

CITY WIDE IMPLICATIONS

CITY OF HAMILTON

5.1

CORPORATE SERVICES DEPARTMENT
Budgets and Fiscal Policy Services

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Joseph L. Rinaldo, General Manager
Date:	March 11, 2003	**Prepared by:**	R. Rossini 546-4523 T. Hewitson 546-4159 M. Di Santo 540-6247

SUBJECT: **2002 Residential Property Taxes and Utility Charges Survey, City of Edmonton Study (FCS03069) - (City Wide)**

RECOMMENDATION:

That report FCS03069 "2002 Residential Property Taxes and Utility Charges Survey, City of Edmonton Study" be received for information.

Joseph L. Rinaldo, General Manager
Corporate Services

EXECUTIVE SUMMARY:

This information report is presented to provide Council with the results of a recent study conducted by the City of Edmonton entitled "2002 Residential Property Taxes and Utility Charges Survey". The City of Hamilton ranked high, along with other Ontario municipalities, when comparing residential property taxes across twenty-six Canadian cities. When comparing monthly utility charges for a single detached house, the City of Hamilton ranked in the middle. Since, on average, property taxes made up 60% of the total cost, this did not improve the city's position once combined with property taxes.

All seven Ontario municipalities ranked high compared to the other Canadian municipalities. One reason for this being that, unlike other municipalities in Canada, Ontario municipalities are responsible for a high degree of social services costs. As quoted in the Dominion Bond Rating Service (DBRS) report entitled "Canadian Municipal Governments – 2001 Overview", "*Ontario municipalities possess the widest range of financial responsibilities".* The report further states that, unlike other municipalities in Canada, Ontario municipalities have had "extensive downloading". Social housing and welfare costs are borne by Ontario municipalities, where as this is a mainly provincial responsibility in other Canadian cities. This is illustrated in the following chart, as the average of the Ontario municipalities in the survey is substantially higher than the average of all Canadian municipalities in the survey.

	Total Property Tax for a Sample Single Detached House	**Average Property Tax of all Single Detached Houses**	**Median Property Tax of all Single Detached Houses**
Hamilton	$2,706	$2,720	$2,550
Survey Average	$2,089	$2,127	$1,981
Ontario Average	$2,682	$2,825	$2,595

As shown above, the City of Hamilton, although above the survey average, mostly ranked below the average when compared to the Ontario average.

BACKGROUND:

The City of Hamilton recently participated in a residential property tax survey conducted by the City of Edmonton. A total of twenty-six Canadian municipalities and eleven municipalities in the Edmonton Region were surveyed. Of the twenty-six Canadian municipalities, seven were from Ontario.

The survey required municipalities to provide information on property taxes, garbage collection charges, total property and business taxes for all types of properties and the average and median tax of all single-detached houses in the city.

The study states that "*Property tax differences among municipalities are attributable to many factors. These factors include the structure and sources of municipal governments' operating revenues, the levels and costs of services provided, the use of split mill rates, different ways for financing local improvements and the extent the user pay policy is applied.*"

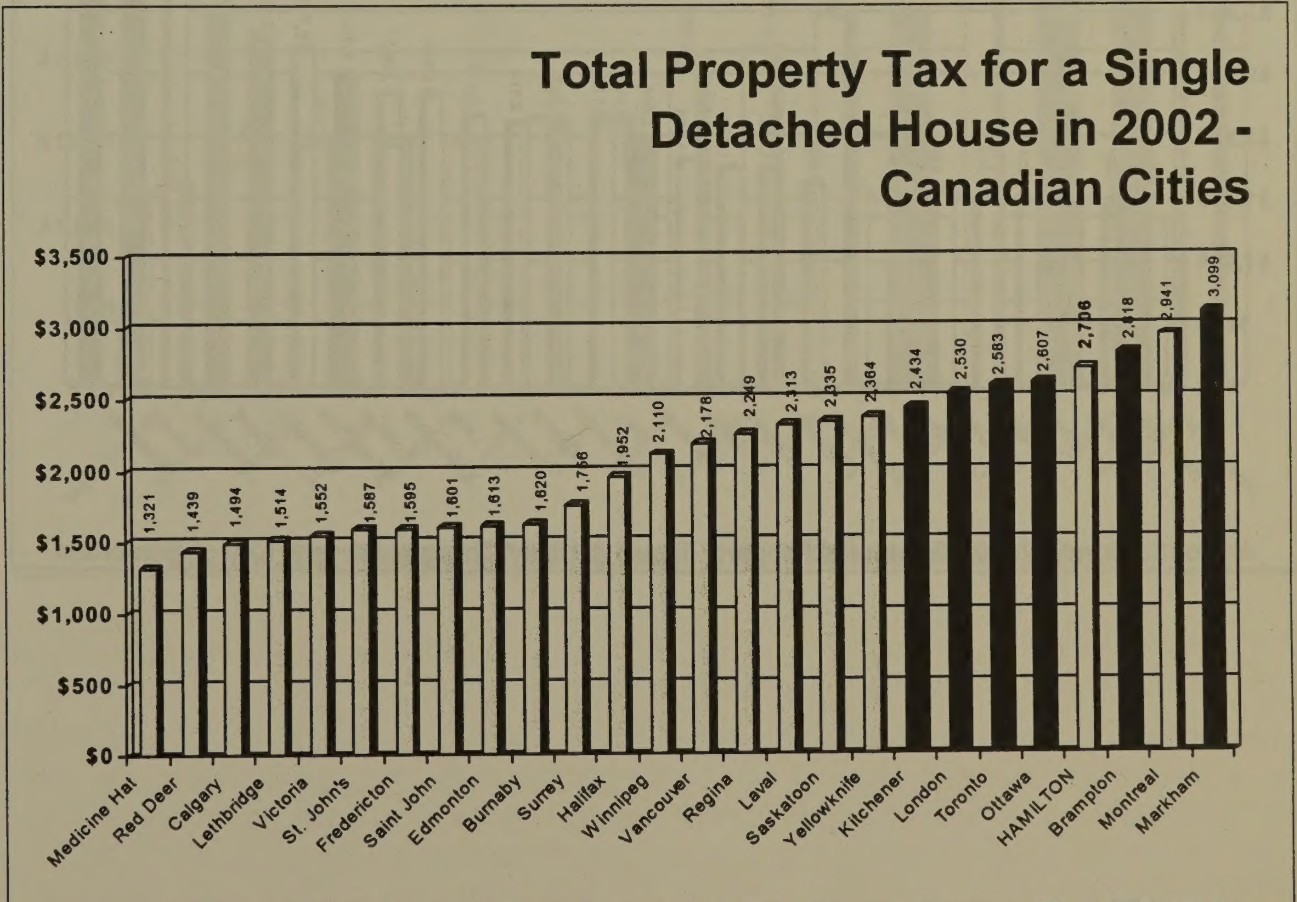
Three different measurements were used to compare property tax burden to taxpayers. These three measurements were:

1. Property tax on a sample single detached house
2. Average property tax of all single-detached houses
3. Median property tax of all single-detached houses

The City of Hamilton ranked high in all three categories. It should be noted, however, that all Ontario municipalities ranked in the top third of the survey. Hamilton ranked slightly above the average of just the Ontario municipalities when comparing a sample house. More importantly, Hamilton was below the Ontario average when comparing the average and median taxes of all single-detached homes.

Total Property Taxes for a Single Detached House in 2002 – Canadian Cities:

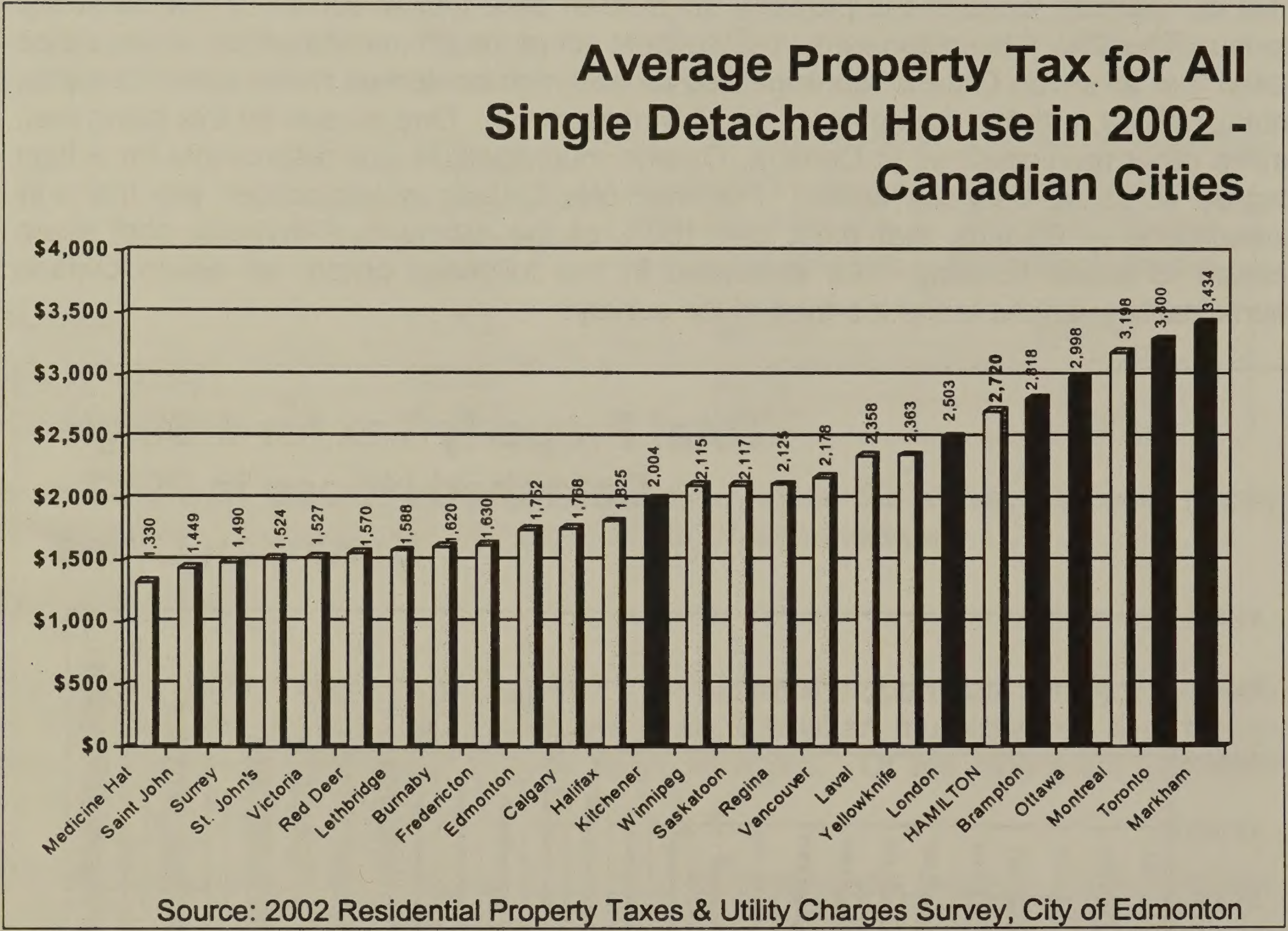
This comparison looks at the property tax burden on a typical sample single-detached house. The City of Hamilton ranked 4th highest out of the 26 municipalities. It should be noted that all seven Ontario municipalities ranked high compared to the other Canadian municipalities, with the exception of the City of Montreal. One reason for this being that, unlike other municipalities in Canada, Ontario municipalities are responsible for a high degree of social services costs. For example, Ontario municipalities are the only jurisdictions in Canada that must pay 100% of the otherwise Provincial cost share related to social housing. As illustrated in the following graph, all seven Ontario municipalities ranked in the top third of the survey.



Source: 2002 Residential Property Taxes & Utility Charges Survey, City of Edmonton

Average Property Tax for All Single Detached Houses in 2002 – Canadian Cities:

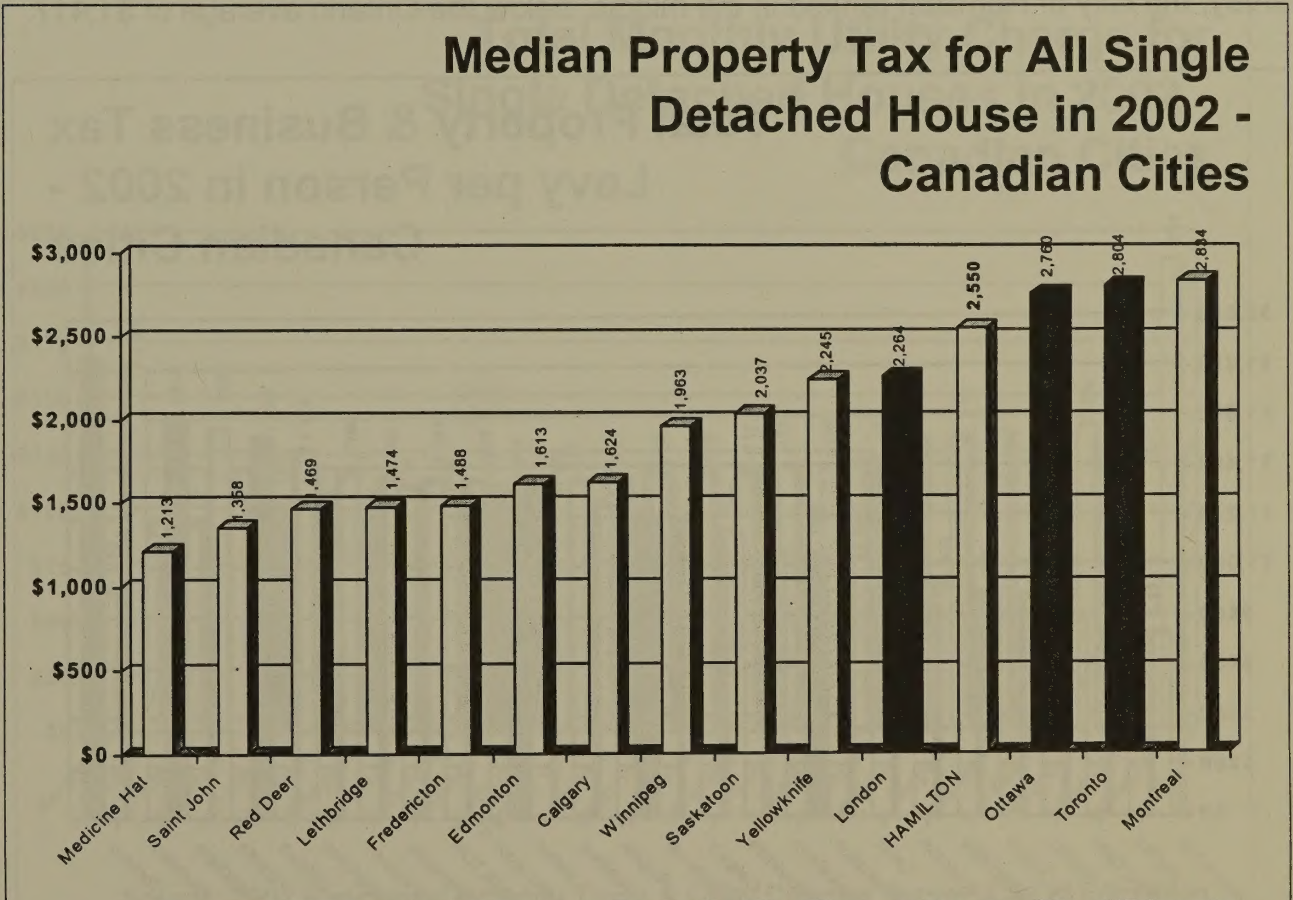
Unlike the previous comparison, which looked at property taxes for a specific type of dwelling (typical "sample" house), this compares the average property taxes of all single detached houses. The City of Hamilton ranked 6th highest out of the 26 municipalities. Kitchener (14th highest) and London (7th highest) were the only other Ontario municipalities which ranked better than the City of Hamilton.



Source: 2002 Residential Property Taxes & Utility Charges Survey, City of Edmonton

Median Property Tax for All Single Detached Houses in 2002 – Canadian Cities:

Only fifteen out of the twenty-six municipalities surveyed responded to this question. When comparing the median property taxes for all single detached houses, the City of Hamilton ranked 4th highest out of these 15 municipalities. Similar to the other results, all Ontario municipalities ranked high. As illustrated in the graph below, the City of London was the only Ontario municipality which ranked better than the City of Hamilton.

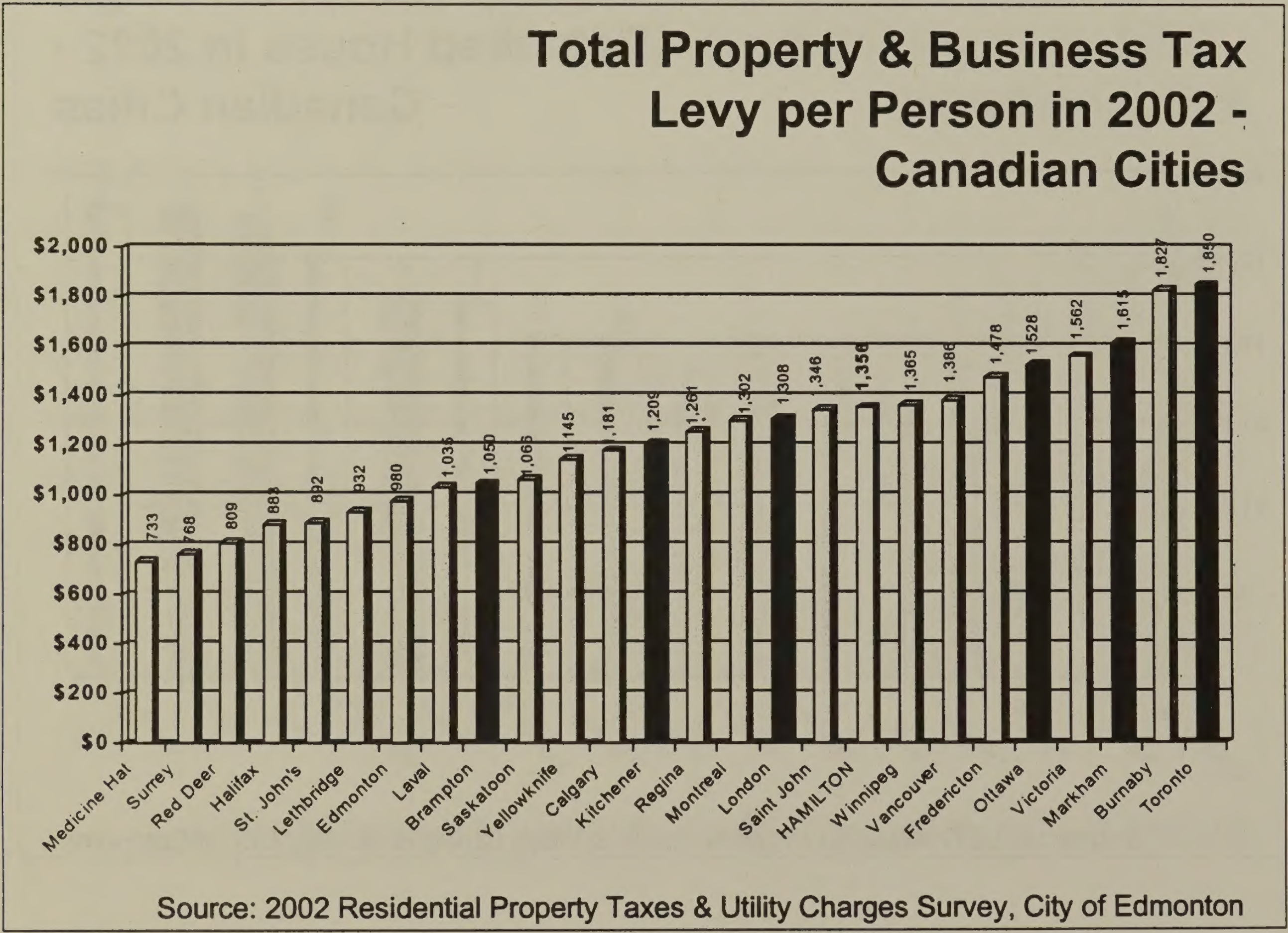


Source: 2002 Residential Property Taxes & Utility Charges Survey, City of Edmonton

The Edmonton study also looked at total property taxes per capita as well as residential utility charges. The remainder of the report highlights these results.

Total Property and Business Tax Levy Per Person in 2002 – Canadian Cities:

This section presents the total tax levy (municipal, regional and education) per capita. As shown in the graph below, the City of Hamilton ranked 9th highest out of the 26 municipalities surveyed. When compared to just the Ontario municipalities in the survey, the City of Hamilton ranked in the middle, below the Ontario average of $1,417.



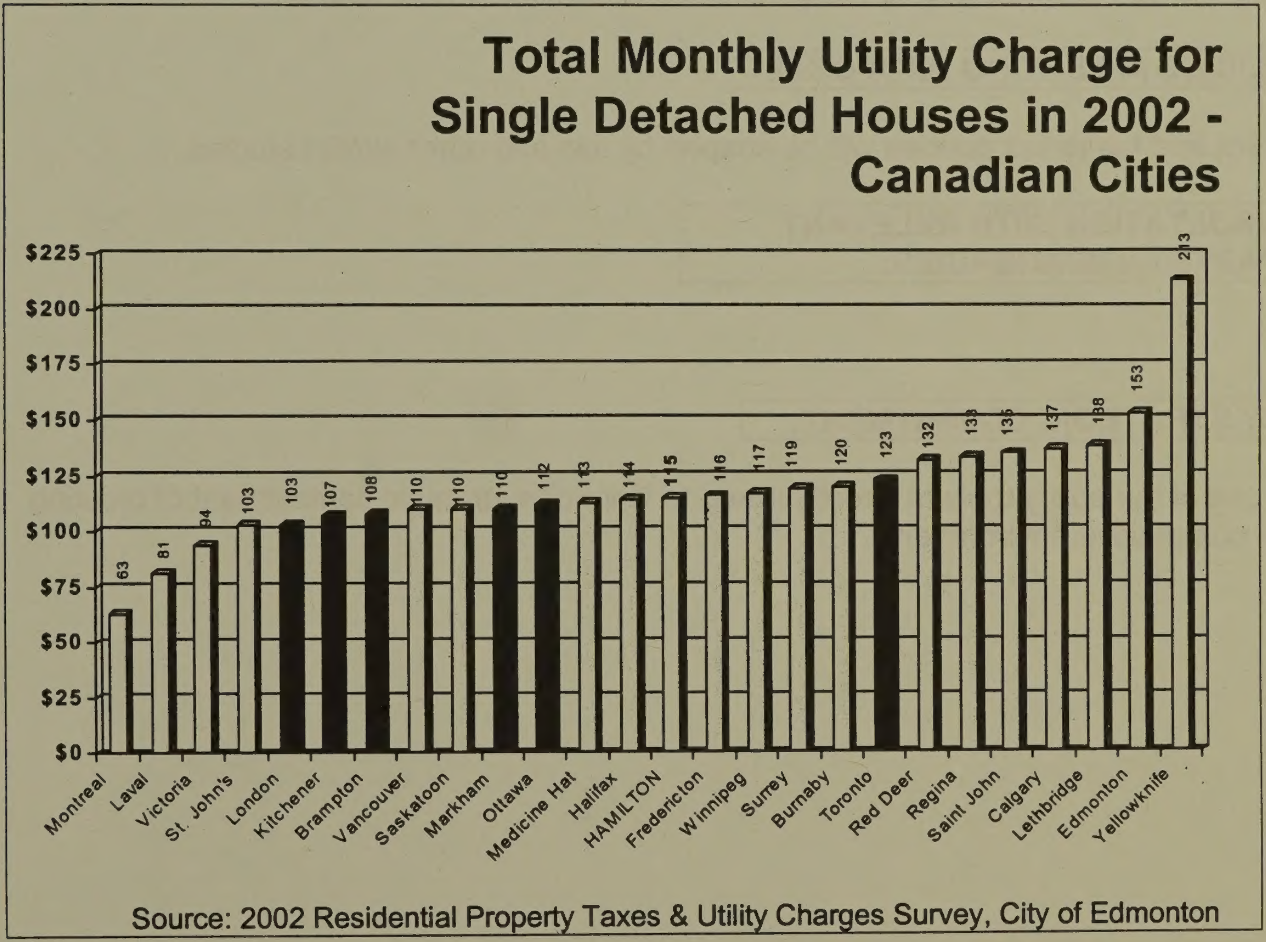
Total Property & Business Tax Levy per Person in 2002 - Canadian Cities

Source: 2002 Residential Property Taxes & Utility Charges Survey, City of Edmonton

Similar to other municipalities, the City of Hamilton does not set the education tax rates and is therefore not responsible for this portion of the levy. The survey does not split out municipal services only. In addition, this type of comparison does not indicate value for money or the effectiveness in meeting community objectives and is not an "apples to apples" comparison of services. Also, as noted earlier, it does not take into consideration the high social services cost burden faced by the City of Hamilton.

Total Monthly Utility Charge for Single Detached Houses in 2002 – Canadian Cities

The utility charges included telephone, power, water, sewer and garbage collection. The City of Hamilton ranked in the middle out of the 26 municipalities surveyed. This, however, does not change the City's high position when combining property taxes with the utility charges.


Total Monthly Utility Charge for Single Detached Houses in 2002 - Canadian Cities

Source: 2002 Residential Property Taxes & Utility Charges Survey, City of Edmonton

Of the utility charges reflected above, the City of Hamilton is only responsible for approximately one quarter of the $115/month, which relates to water and sewer charges.

ANALYSIS OF ALTERNATIVES:

N/A

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The results of the study can be used to direct current and future tax policies which will impact the City financially in terms of revenue streams and their sources.

POLICIES AFFECTING PROPOSAL:

Current and future tax policies will be shaped by this and other similar studies.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

N/A

CITY STRATEGIC COMMITMENT:

The use of tax policy tools is directly linked to Council's strategic commitment of creating a tax competitive environment.

SECTION 6

SECTION 7

CITY WIDE IMPLICATIONS

CITY OF HAMILTON

7.1

Corporate Services
Financial Services

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Joseph L. Rinaldo, General Manager
Date:	March 20, 2003	**Prepared by:**	Rick Male, Director, Financial Services 905-546-4157

SUBJECT: **Report of the 2002 Remuneration and Expenses As Required Under Section 284 of the Municipal Act (FCS03029) (City Wide)**

RECOMMENDATION:

(a) That Appendix 'A' to Report FCS03029, "Report of the 2002 Remuneration and Expenses as Required under Section 284 of the Municipal Act" be received for information.

(b) That Outstanding Business Item (g) be deleted from the Outstanding Business List.

Joseph Rinaldo

Joseph L. Rinaldo, General Manager
Finance & Corporate Services

EXECUTIVE SUMMARY:

Section 284 of the Municipal Act requires the Treasurer to report the 2002 remuneration and expenses for Members of Council by March 31, 2003.

BACKGROUND:

The recommendation contained within this report has city wide implications.

Under the Municipal Act, the Treasurer must submit to Council before the 31st of March in each year, an itemized statement of the remuneration and expenses paid to each member of Council and citizen appointees to various local boards in the preceding year.

Staff forwarded the expenses reflected in this report to the Members of Council for their review, as per the direction of Council.

ANALYSIS OF ALTERNATIVES:

N/A

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Expenses are funded within the approved budget of the City of Hamilton or by other Boards and Agencies as outlined in report. All conferences and expenses are within the Policies, which were approved by Council (Policy for Eligible Expenses). Specific authority was provided to Members of Council who are on the Boards of AMO and FCM for the additional expenditures incurred in their capacity as Members of these individual Boards.

POLICIES AFFECTING PROPOSAL:

As required under Section 284 of the Municipal Act.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

This report was prepared in consultation with other Boards and Agencies that are included in the report and with individual Council Members.

CITY STRATEGIC COMMITMENT:

N/A

(a) Remuneration paid pursuant to Section 284 of the Municipal Act and By-law 01- 023
Expenses paid pursuant to Section 243 (1), (2) and (3) of the Municipal Act.

Council Member	Remuneration	Expenses*
	$	$
R. Wade	102,163.57	16,605.22
A. Bain	51,080.48	1,820.62
D. Braden	50,000.08	5,100.64
M. Caplan	51,080.48	5,954.13
C. Collins	51,080.48	4,861.66
F. D'Amico	51,080.48	5,736.85
L. DiIanni	51,080.48	4,722.20
M. Ferguson	51,080.48	2,963.06
A. Horwath	51,080.48	4,740.82
T. Jackson	51,080.48	1,745.81
B. Kelly	51,080.48	4,062.44
M. McCarthy	51,080.48	3,209.32
S. Merulla	51,080.48	3,924.49
D. Mitchell	51,080.48	2,657.44
B. Morelli	51,080.48	1,128.80
R. Powers	51,080.48	9,521.44

*Expense Note

Mayor Bob Wade attended the 2010 Common Wealth Games Bid in England in July - $4,518; attended the Urban Transportation Council in Montreal in February - $571; attended the Transportation Association of Canada in Ottawa in April - $395; attended the CANUSA Games in Flint, Michigan in August - $337; attended the Transportation Association of Canada in Winnipeg in September - $1,967; attended the AMO in Toronto in August - $662; attended the Big City Mayor's Conference in Halifax in October - $1,136; attended the Canadian Urban Transportation Council in Niagara Falls in September - $596; Sister City meeting in Sarasota, Florida in October - $1,326; attended the Canadian Urban Transportation Council in Calgary in November - $1,471; attended the Regional Chairs Single Tier Mayor's Meeting in Ottawa in November - $948; attended the Ontario New Home Warranty Program Meeting in Toronto - $140; and attended the Ottawa-Commonwealth Game Bid Announcement in December - $264. Other expenses - $2,274.

Councillor Bain attended the FCM Conference in Hamilton in May - $565. Other expenses - $1,255.

Councillor Braden attended the American Planning Association Conference in Chicago in April - $2,658. Other expenses - $2,442.

Councillor Caplan was on the AMO Board of Directors and attended the ALPHA Board of Director's meeting in Toronto in January - $68; attended the ALPHA All Members meeting in Toronto in January - $407; attended the ALPHA Mandatory Program Steering Committee in Toronto in February - $66; attended the ALPHA Board meeting in Toronto in February $16; attended the AMO Board meeting in Toronto in February - $16; attended the AMO Mandatory Program meeting in Toronto in March - $18; attended the ALPHA Board of Director's meeting in Toronto in March - $66; attended the FCM Conference in Hamilton in May - $565; attended the ALPHA Annual Conference in Toronto in June - $750; attended the AMO meeting in Toronto in June - $16; attended the AMO Barrier Free Access meeting in Toronto in July - $68; attended the LASIC meeting in Toronto in July- $16; attended the AMO Annual Conference in Toronto in August - $1,230; attended the LASIC meeting in Toronto in October - $20; attended the ALPHA meeting on Smoking by-law in London - $82; attended the AMO Board meeting in Toronto in November - $68; attended the AMO Board meeting in Toronto in December - $16; attended the ALPHA meeting in Toronto in December - $25; and attended the American Planning Association Conference in Chicago in April - $2,408. Other expenses - $33.

Councillor Collins attended the 2002 Ontario BIA Association Conference in Hamilton in March - $199; attended the FCM Conference in Hamilton in May - $490 and attended the American Planning Association Conference in Chicago in April - $3,453. Other expenses - $719.

Councillor D'Amico attended the American Planning Association Conference in Chicago in April - $3,548; attended the FCM Conference in Hamilton in May - $565; and attended the (ICT Cluster) Joint City/Fibre-Wired Delegation & Presentation in Miami in December - $1,112. Other expenses - $511. Other expenses - $511.

Councillor DiIanni attended the Good Roads Conference in Toronto in February - 924; attended the Taxi Sub-Committee meeting in Ottawa in February - $827; attended the Cities Plus Symposium in Vancouver in September - $1,766. Other expenses - $1,205.

Councillor Ferguson attended the Federation of Canadian Municipalities Conference in Hamilton in May - $565. Other expenses - $2,398.

Councillor Horwath attended the American Planning Association Conference in Chicago in April - $3,404; and the FCM conference in Hamilton in May - $490. Other expenses - $846.

Councillor Jackson - other expenses - $1,745.

Councillor Kelly attended the American Planning Association Conference in Chicago in April - $3,572; and the FCM Conference in Hamilton in May - $490.

Councillor McCarthy - other expenses - $3,209.

Councillor Merulla attended the American Planning Association Conference in Chicago in April - $3,434; and the FCM Conference in Hamilton in May - $490.

Councillor Mitchell - other expenses - $2,657.

Councillor Morelli attended the FCM Conference in Hamilton in May - $565. Other expenses - $563.

Councillor Powers was on the FCM Board of Directors and attended the FCM Big City Mayor's Conference in Ottawa in February - $781; attended the FCM Board meeting in St John's in February - $1,852; attended the CCME meeting in Toronto in March - $86; attended the FCM Conference in Hamilton in May - $490; attended the Federation of Canadian Municipalities Conference in Ottawa in July - $329; attended the J. Mills Presentation in Shawinigan in July - $789; attended the Community Energy Mission Federation of Canadian Municipalities in Copenhagen in August - $2,994; attended the FCM Conference in Gander in September - $1,316; and attended the FCM Board of Director's meeting in Ottawa in December - $880.

(b) Court of Revision

Appointee	Remuneration $	Expenses $
N. Desjardins	55.00	7.40
B. Mahal	55.00	7.40
H. Beswich	55.00	7.40
G. Broomhead	55.00	8.60
J. Harrop	55.00	14.80

(c) Conservation Authority

Remuneration and expenses paid pursuant to Section 284 of the Municipal Act. The Conservation Authority pays the expenses below directly to the appointees.

Hamilton Region Conservation Authority

Appointees	Remuneration $	Expenses $
D. Braden	0	0
C.Collins	0	0
L. Dilanni	0	0
B. Kelly	0	0
M. Ferguson	0	0

Grand River Conservation Authority

Appointees	Remuneration $	Expenses $
J. Jamieson	1,249.50	171.36

Conservation Authorities – cont'd
Halton Region Conservation Authority

Appointees	Remuneration $	Expenses $
J. MacLennan	328.50	25.20
R. Powers	146.00	103.20

*Remuneration is a per diem based on $36.50 per meeting

Niagara Peninsula Conservation Authority

Appointees	Remuneration $	Expenses $
A. Fevez	550.00	431.80
S. Jaggard	275.00	311.20

Niagara Escarpment Commission

Appointees	Remuneration $	Expenses $
M. Caplan	2,340.00	644.14

(d) Hamilton Police Services Board

Remuneration and expenses paid pursuant to Section 284 of the Municipal Act and By-law 01-039.

Appointees	Remuneration $	Expenses** $
M. Dingle	9,132.24	0
M. Dingwall	9,132.24	2,922.37
T. Jackson	0	2,303.76
B. Morelli	0	4,006.79
P. Pearson	9,132.24	0
R. Valeri	9,132.24	1,387.06
R. Wade	0	0

** Expenditures authorized by the Hamilton Police Services Board and funded from the Police Services Board budget
Councillor Jackson attended CAPB Conference in Ottawa in August.
Councillor Morelli attended Big 12 Meeting in Ottawa in February; attended Ontario Association of the Police Services Board in Sudbury in May; attended IACP Conference in Minneapolis in October.

(e) Hamilton Public Library Board

Remuneration and expenses paid pursuant to Section 284 of the Municipal Act and By-laws 1-74 and 01-038.

Appointees	Remuneration $	Expenses $
M. Adams	0	0
J. Brown	0	0
M. Caplan	0	0
M.Carson	0	0
A. Culley	0	81.89
G. Geczy	0	0
A. Graveaux	0	0
D. Horbach	0	0
T. Jackson	0	0
M. McKeating	0	134.07
C. McLaughlin	0	0
D. Petsche-Wark	0	0
P. Rogers	0	2,186.87
G. Whitwell	0	496.00

(f) Committee of Adjustment / Land Division Committee

Remuneration and expenses paid pursuant to Section 284 (1) of the Municipal Act and By-laws 01-149 and R98-030.

Appointees	Remuneration $	Expenses $
V.Abraham	2,100.00	1,093.88
D. Delullo	1,800.00	161.64
D. Drury	2,200.00	1,018.92
M. Dudzic	2,200.00	20.00
C. Lewis	2,100.00	72.36
D. Madden	1,800.00	273.24
D. Serwatuk	2,200.00	210.60

(g) Land Division Committee Outside the Urban Boundaries

Appointees	Remuneration $	Expenses $
W. Clayton	1,000.00	1,495.97
M. Maughan	1,100.00	1,116.64
K. McEvoy	1,000.00	0
D. Smith	800.00	143.28
B. Berry	400.00	326.52
R. Duda	400.00	84.96

(h) Trade License Board

Appointees	Remuneration $	Expenses $
H. Allison	700.00	0
R. Clothier	500.00	0
H. Cooper	1,000.00	0
D. Gibson	600.00	0
R. Green	600.00	500.00
L. Groves	600.00	500.00
D. Hardie	1,200.00	0
M. Holmes	700.00	0
H. Kaut	800.00	0
G. Korz	900.00	0
D. MacIntre	1,200.00	0
G. Penko	700.00	1,072.12
M. Riley	500.00	0
R. Taffs	600.00	0
B.Woodrow	1,100.00	0

(i) H.E.C.F.I. Board

Appointees	Remuneration $	Expenses*** $
T. Anderson	0	3,688.13
R. Baboth	0	0
C. Collins	0	0
M. Dow	0	0
P. Decaria	0	0
F. Deys	0	0
A. Horwath	0	0
B. Kelly	0	0
S. Monzavi	0	0
R. Powers	0	3,839.93
I. Thompson	0	0
A. Skrypniak	0	0
B. Shackleton	0	0
R. Wade	0	0

*** Expenditures authorized by HECFI Board and funded from HECFI budget. **Councillor Powers** attended Women's World Hockey Championships in Calgary in March; and attended the International Association of Assembly Manager in Atlanta in July.

SECTION 8

SECTION 9

CITY WIDE IMPLICATIONS

CITY OF HAMILTON

EMERGENCY SERVICES DEPARTMENT

9.1

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Glen Peace, General Manager / Fire Chief
Date:	March 10, 2003	**Prepared by:**	Brent Browett 540-5783

SUBJECT: Status of Emergency Services Department - EMS (HES03002) (City Wide)

RECOMMENDATION:

That Report HES03002 regarding the Emergency Services Department – EMS be received for information.

Glen Peace

Glen Peace, General Manager / Fire Chief
Emergency Services Department

EXECUTIVE SUMMARY:

Council directed staff to report back on the status of EMS including response times and challenges.

In August of 2000 Hamilton assumed the delivery of ambulance services in compliance to provincial downloading. Commencing in 1997, through the downloading to the present, the Ministry of Health Long Term Care (MOHLTC) has established provincial service delivery standards for all aspects of the ambulance service. Municipal service levels in 1996 became the 'approved' benchmark for up to 50% funding grants, although the standards were and continue to be elevated. Since August 2002 the MOHLTC has sent out a team to evaluate Hamilton's compliance to the land ambulance standards and regulations, including emergency response times. All municipalities in Ontario are mandated to meet the 1996 emergency response times in order to maintain their full provincial grant. For Hamilton this translates into 10.02 minutes for 90% of the requests for service, currently EMS is at 10.26 minutes. It is worth noting that when EMS was downloaded in mid-2000, the service was not meeting the 1996 standard. Staff recruitment and retention challenges continue to make it difficult to meet or exceed the 1996 benchmark. Staff has commenced implementation of the internal "Paramedic Recruitment Strategy and Implementation Plan" in an initial attempt to begin addressing these challenges.

Between 1996 and 2001 there has been an approximate 26% increase in call demand, primarily in emergencies. EMS is also facing delays in hospital emergency departments as a result of "transfer care", the off loading of patients. Local hospitals continue to be on "consideration" on a daily basis. Through improved vehicle deployment, HES has been able to offset these and other service demands with only a 1% increase in response times, which is reflected in 10.26 minutes. In 2002, Hamilton was given approval to add EMS street service hours and move our unionized supervisors to response units with the intent of management to improve service. In regards to the percentage of Advanced Care Paramedics (ACP), Hamilton falls short of other municipalities with only approximately 30% of staff vs. 50-60% trained to the ACP level in a number of other municipalities. In other areas of our service which are measured by standards, for example quality assurance or data review, EMS is not meeting the provincial benchmark. Staff believes the standards are not obtainable within the current funding model provided by the Province.

BACKGROUND:

In 2001, Hamilton Emergency Services (HES) was created through the amalgamation of six (6) Fire Departments, four (4) Ambulance Providers, Emergency Planning and Mobile Communications.

EMS developed immediate efficiencies with the Fire Mechanical Division to provide expertise in emergency vehicle repairs and maintenance.

Further, EMS and Fire have amalgamated support and administrative services within the Emergency Services Department. This initiative has provided efficiencies and standardization in the acquisition and distribution of all medical supplies and equipment resulting in cost containment, continuity of training and administrative synergies.

The long-standing tiered response protocol (Fire and EMS jointly dispatched to critical patients) continues to provide a positive contribution to Hamilton's emergency medical response system. Appendix "A" defines the current criteria to initiate a "tiered" response.

Management has created a task force with the intent to improve the service to our citizens by adjusting the tiered response protocol to ensure our service addressed identified gaps in service delivery.

The task force will ensure any changes contribute to improved patient outcome while continuing to focus on medical data, value added to patient and responsible resource management.

It is anticipated that the changes to the protocol, although initiated on the short term, will result in long-term changes to apparatus and equipment. The future changes will require a phased approach to guarantee improvements while managing the HES fleet rationalization within the scope of our budget.

The short-term goal of EMS is to populate the approved staff hours and contain or reduce emergency response times in the face of an ageing population and increasing demands in frequency and complexity. Staff continues to strive to maintain core activities that are essential to the operation of the service, although EMS is short of the MOHLTC standards by 24 seconds. The major threat to these objectives is the retention and recruitment of EMS staff in an industry that has up to an estimated 800 vacancies in 2003 and a maximum of only 400 paramedic graduates to fill same. At the time of writing EMS was faced with 27 full-time paramedic vacancies of the approved 155 street service positions. This shortfall significantly limits the ability to staff units and meet response time standards. Further the present staffing situation impacts the operational budget due to overtime cost.

One mid-term goal of HES is the integration of ambulance and fire response data to reflect the true HES emergency medical response time and meet the industry standard of less than 9 minutes in densly populated (urban) areas and less than 15 minutes in rural areas. HES is finalizing arrangements to train 14 Primary Care Paramedics (PCP) to an advanced care level in 2003. Recent medical findings suggest EMS should maintain the current number of ACPs while shifting the training focus to an enhanced PCP. If up to 30 of the PCPs were trained to a level between PCP and ACP or a PCP+, they would require 50% less educational time, provide the majority of skills required, and save the most critical of patients to be cared for by the ACP. This is a sustainable model and one that will likely attract many new graduates as well as retain existing staff. The difficulty lies in getting the necessary support from the Province and Base Hospital.

As Council is aware, the EMS fleet and staff are municipal, albeit EMS received a 42% grant toward the operating budget, however, the dispatch and standards which equates to the control of these resources remains with the province and their agents.

Staff identified the primary challenges facing the Emergency Services Department in meeting the short and mid-term objectives of EMS as follows:

a) Recruitment and retention of trained paramedic staff due to the provincial shortage and meeting a competitive wage structure
b) Maintaining or improving response time standards in light of increasing service demands
c) Increasing service requirements being imposed by the MOHLTC and their agents (continued downloading) i.e. changes in standards for education, certification, etc.
d) Maintaining or achieving a standard of care comparable to other large municipalities
e) MOHLTC funding processes

Future strategies intended to contain response times and improve service in 2003:
a) Implementation of AVL/GPS in 2003 (approved by Council)
b) Dedicating fewer resources to inter-facility transfers (use of private sector) and focus on core services those being emergency response and emergency transport
c) Ongoing review of alternative delivery models, including changes to the tiered response protocol for the rural area.

As noted, currently EMS has 27 full-time vacancies; the last recruitment attracted few applicants. Frequently EMS is not able to fully staff street hours and still the overtime budget in 2002 was in excess of $176,000. Data is being gathered regarding loss of street hours and staff will report to Council with possible solutions for 2004 budget process.

Finally, Council requested information on the current status of the provincially run Central Ambulance Communications Centre (CACC).

At the time of writing, the Province had contracted to a third party, IBI Consultants, to review and report back on the current situation with the Hamilton CACC.

The Hamilton CACC dispatches ambulances for Hamilton, Niagara Region, Brant County, Brantford, Oshwegen, Haldimand and Norfolk services.

As Council may be aware Niagara Region has been seeking to bring their ambulance dispatch in-house. The drive for this action is due to alleged problems with dispatcher error related to lack of geographical knowledge of the Niagara area.

It is the position of Hamilton staff that, in principle, there would be efficiencies in call taking and dispatch services for all our emergency services – Police, Fire, EMS – if all three centres were amalgamated.

This comment does not negate the need to resolve a multitude of labour issues or to develop a business case to review capital requirements to ensure a consolidation is a success.

It is important to note that currently there exists a substantial variance in wages and benefits for dispatch staff within the Police, Fire and EMS silos. The consolidation of emergency call taking and dispatch was one of the amalgamation task forces; the report is included for Council's information as Appendix "B".

The Province has recently dedicated additional funds to the CACC system, however, there continues to be a myriad of challenges related to staff retention, level of training, supervision and technology.

ANALYSIS OF ALTERNATIVES:

HES will continue to explore other alternatives to meet all the MOHLTC legislative requirements within existing budget allocations, including but not limited to alternative medical partnerships and advancing EMS and Fire integration.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Staff anticipates ongoing pressures to recruit and retain staff in the current market.

POLICIES AFFECTING PROPOSAL:

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

CITY STRATEGIC COMMITMENT:

Appendices (2)

APPENDIX "A"

Modified
Tiered Response Criteria
Hamilton Wentworth Region

1. Absence of Breathing / Cardiac or Respiratory Arrest

2. Unconscious / Unresponsive

3. Choking / Sudden Shortness of Breath

4. Other Trauma:

   a. Penetrating Trauma, i.e. gunshot wound or stabbing

   b. Multiple victims, i.e. MVC with reported multiple victims

   c. Pedestrians struck

5. Chest Pain (non-traumatic)

TIER 1	TIER 2
Respond to all calls that meet the criteria 1-5.	**Respond to all calls that meet the criteria 1-2.** 1. Absence of Breathing / Cardiac or Respiratory Arrest 2. Unconscious / Unresponsive **If ambulance ETA to scene is > 8 minutes,** • **Respond to calls Category 3-5.**

- Police to be immediately notified for all Potential/confirmed VSA patients

- All Fire Departments are to be notified of calls with reported:
  Gas spillage, victims trapped, vehicle fires, chemical or structural hazards and as requested.
  These are considered fire calls, not part of a tiered response agreement.

Expected all HW FD will respond under Tier with potentially Glanbrook FD choosing Tier 2.

APPENDIX “B”

DISPATCH TASK FORCE REPORT
ON
DISPATCH SERVICES OPPORTUNITIES
FOR
THE NEW CITY OF HAMILTON

June 7th, 2000

Dispatch Task Force

Don Hull	**Transit (Chairman)**
Ken Knoflook	**Fire**
Brian Mullan	**Police**
Carmine Calabrese	**Hydro**
Karl Muller	**Ambulance**
Ed Dowling	**Transit (Technical Advisor)**
Chuck Wilson	**Technical Support**
Bill Bouwhuis	**Region (Technical Support)**
Morgan Pirie	**Co-ordinating Committee Member**

With report preparation and technical assistance from:

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2. EXECUTIVE SUMMARY

The Dispatch Task Force was created to assess both emergency and non-emergency call taking and dispatch services across the New City of Hamilton.

Fire, Police, and Ambulance represent the core agencies involved with emergency communications.

Hydro, Sewer, Water, Operations, and Transit represent the larger non-emergency communications components.

Site visits to American agencies, research, and task force member experience combined to conclude that the call-taking and dispatch components of emergency and non-emergency communications were so vastly different, that they were deemed incompatible and had to be dealt with separately.

Given the high public profile of Police, Fire, and Ambulance and that these services provide a direct service to the public, the focus of the task force work was directed at emergency communications.

A number of alternative service delivery models for emergency dispatch communications were investigated. Only one stood out as having significant merit. The preferred model, a consolidated, independent, in-house, Emergency Communications Services Centre (ECC) was selected on the basis of providing the greatest value at the same or reduced cost to the residents of the new City and forms the basis of the primary recommendation.

The benefits of the recommended emergency communications services model include:

- Improved response time to emergencies
- Seamless service to the public
- An estimated 5% savings upon complete implementation

However, the success and complete implementation of the recommended communications model is contingent upon the transfer and control of Ambulance Dispatch from the Province to The New City of Hamilton. In addition, inter-municipal ambulance dispatch agreements among the municipalities sharing the services of the existing Consolidated Ambulance Communications Centre (CACC) would be required.

For non-emergency communications services, it was determined that the transportation component should be transferred to the Transit Task Force, and that the utilities component be considered for inclusion in the municipal Call Centre initiative.

2.1. Recommendation

That a consolidated independent In-house Emergency Communications Services Centre (ECC) be established to provide emergency communications for Fire, Police and Ambulance. Implementation of the recommendation is contingent upon:

1. The transfer of ambulance Dispatch from the Province,
2. Direct control of ambulance by the Municipalities, and
3. An inter-jurisdictional agreement between the new City of Hamilton, the Municipalities of Niagara, Haldimand-Norfolk, Brant County and the City of Brantford on an ambulance call-taking and dispatch model compatible with the task force recommendation.

2.2. Costs and Benefits

- Improved response time to emergencies
- Seamless service to the public
- An estimated 5% savings upon complete implementation
- Use of civilian workforce
- Tri-service trained employees
- Cultural barriers between agencies overcome

2.3. Implementation Considerations

Through the ASD process the Task Force also reached consensus on a number of practical action steps that can be implemented, ultimately paving the way for the creation of a Consolidated Emergency Communications Centre (ECC):

- Creation and approval of an inter-agency organization structure
- That facilities management undertakes a feasibility study for consolidation of fire and police dispatch into a common facility
- That the fire, police and ambulance call-taking function of an ECC be amalgamated
- That training staff and training facilities be amalgamated
- That staff be cross-trained over time
- That the ECC migrate to an all “civilian workforce”, to be achieved via attrition with no layoffs

- That key technical hardware for all sites be normalized
- That a Public Safety Council (PSC) be created with the ultimate role of an advisory body to the ECC
- That the PSC have representation, at a minimum, from Fire, Police and Ambulance and the City Manager or his designate
- That the interim role of the PSC be to develop a detailed Business Plan for the creation of a consolidated Emergency Communications Centre
- That a task team be created and be led by a dedicated resource independent of fire, police and ambulance, reporting to the PSC
- The task team, under the direction of the PSC shall prepare the Business Plan, with specific deliverables as itemized below:
- An assessment of the Human Resources impacts
- An assessment of Benefits and Risks

Benefits

  - Verify the projected cost saving
  - Verify the projected service level improvements
  - Verify the value-added opportunities

Risks

  - Political risks – government remains accountable
  - Quality control
  - Non-compliance with legislative and regulatory requirements
  - Financial risks
  - Legal risks – provincial responsibilities
  - Conflict of interest
  - Negative public perception
  - Public health and safety

- Conduct a Cost/Benefit Analysis. Ensure that the selected option provides the highest net benefits and uses the resources most effectively.
- Determine a method for post-implementation evaluation. Describe the performance measurement systems for reporting on results, monitoring and evaluation of best practices. In the event that the stated objectives are not met, identify what corrective action will be taken. Include a

backup/ contingency plan if service levels from the new alternative service delivery prove to be unacceptable.

- Identify/ Solve Legislative Roadblocks. Resolve the governance of Ambulance Dispatch by the Province. In the event that responsibility is not transferred, identify a contingency plan.
- Develop service level agreements
- Establish key milestones and Target Dates
- Inventory all technical requirements
- Identify the need for external resources (consulting)

3. ALTERNATIVE SERVICE DELIVERY ANALYSIS

3.1. Environmental Review

The Dispatch Task Force analyzed many alternative service models for the delivery of dispatch communication services. The analysis included site visits to five American agencies and telephone interviews with two others. An architecture, which separates emergency and non-emergency services dispatch, while amalgamating the service agencies within each category was discovered to be the optimal cost and performance model.

Initially, the Dispatch Task Force had included non-emergency within the consolidated concept. It became evident that the emergency and non-emergency components were so vastly different that they were deemed incompatible in a consolidation model. The 'emergency only' model was firmly supported and successfully implemented by the American consolidated dispatch centres visited. As a result, the total amalgamation concept was abandoned.

There is only one implementation of a large-scale consolidated emergency dispatch model in Canada. The E-Comm system serving Vancouver and the lower mainland includes Ambulance, Police, RCMP and many other organizations. A Corporation was formed to complete the $186 million (estimate) radio system, plus a $24 million 70,000 square foot building. Further examining non-emergency dispatch operations, the Task Force concluded that there is an opportunity to improve services and reduce costs by establishing a communications centre for non-emergency transportation in Hamilton. Waterloo Region, the City of Kingston and Elgin-St. Thomas have successfully implemented a non-emergency medical transportation brokerage model. This model should be a topic for further research.

Other key issues resulting from the consolidation environmental scan are:

- Seamless call handling to the customer
- Improved Response Time - Fewer errors
- Use of civilian workforce
- Training is key to success
- Cultural barriers between agencies must be overcome
- Structure as an independent public safety unit

Following the environmental scan, the Dispatch Task Force undertook an intense two day S.W.O.T. analysis of alternative methods of service delivery of emergency communications (Dispatch) with the assistance of an external professional facilitator.

4. S.W.O.T. ANALYSIS

The Dispatch Task Force conducted an intensive two-day SWOT analysis with the assistance of a professional facilitator. Consensus was obtained on the following Strengths, Weaknesses, Opportunities and Threats for the current model of Police, Fire and Ambulance dispatch operations.

4.1. Strengths

- A high level of functional expertise to conduct and manage Police, Fire and Ambulance dispatch currently exists in all agencies.
- The Police and Fire technical infrastructure is State-of-the-art. Ambulance is scheduled for upgrading in the foreseeable future.
- The existing emergency trunking communications system supports a complete operational backup facility
- Training levels are comprehensive
- Provides good response to field staff needs

4.2. Weaknesses

- The current System design necessitates the hand off of calls from the 911 call taker to another agency, resulting in duplication of work, response delay, and other inefficiencies
- The lack of co-ordination of human resources, expertise and independent facilities results in duplication of overheads
- Procurement of technology and equipment is not centralized
- Human resource issues such as employee acquisition, retention, absenteeism and career path opportunities could be improved
- Multiple organizational structures
- Multiple bargaining units
- Multiple facilities

4.3. Opportunities

- The flexibility of current communication technology allows for a variety of operational scenarios to be examined
- Improved response times are attainable if the duplication of call taking functions are removed

- Shedding of non core businesses
- Improved cost efficiencies
- Consolidation of databases
- Enhanced value for the customer with seamless 911 response

4.4. Threats

- No direct control of Ambulance services dispatch
- Upward migration of wages to the highest rate
- No direct control over external municipalities currently served by the Hamilton Ambulance communications centre (CACC).
- Discontinued Provincial Funding for Ambulance dispatch - the Province could download Ambulance dispatch to the Municipality without sufficient funds
- The drive to cut costs will compromise service quality
- Resistance to change, internal (autonomous agencies) and external (public)

4.5. Priority Issues

Based upon the above SWOT analysis the major issues or challenges, which impede optimization of current operations, are as follows:

- More effective utilization of human resources
- Improved call-taking process
- Improved Emergency response times and customer service by the removal of call taking duplication
- Resolve cross boundary jurisdictional issues under the existing Ambulance dispatch structure
- Resolve Jurisdictional issues between the Province and The New City of Hamilton for Ambulance dispatch
- Overcome Resistance to change
- Improving or maintaining existing services without an increase in funding
- Shedding of non core businesses
- Improved cost efficiencies

4.6. Options Analysis

Utilizing the results of the SWOT analysis and the business priorities review, the Task Force identified four alternative service options for enhancing current practices.

1. Status quo
2. Status quo with improvements
3. Third party brokerage, privatization or other arms-length remedy
4. Consolidated Police, Fire and Ambulance call taking and dispatch

The pros and cons of each of the above-developed options were prioritized, compared and assessed by the Task Force.

Option 1, Status quo, was rejected due to the following critical issues:

- Other options provide better service
- No apparent cost savings,
- Duplication of service, resources and facilities for like responsibilities
- The most benign option

Option 2, Status quo with modifications, was rejected due to the following:

- Not the optimum solution

Option 3, Third party involvement, was rejected due to the following:

- High probability of negative public perception and erosion of confidence in 911
- Anticipated annual cost escalation over time which are uncontrollable
- No control of 3rd party interests such as the actions of external unions, or access to performance data of the brokerage
- There exist agency specific brokerages, but no existing tri-service providers could be identified by the task force - no business experience - no competition
- Quality assurance becomes a more complicated task

- May increase insurance premiums for the City of Hamilton and property owners

Option 4, Consolidated dispatch, was accepted as a result of the following issues:

- Seamless service to the public - one call-taker for all emergencies
- Reduction in call processing time allowing for faster emergency response
- Easier performance monitoring
- Wage containment by moving to civilian staff
- Reduced overhead in supervision
- Improved employee development, wellness and allowance for career path goals due to tri-service dispatch cross training opportunities.
- Staff deployment flexibility due to tri-service training and multi-skilled workforce
- Cross training will enhance efficiencies
- Reduced errors due to call handling process
- Allows benchmarking with peer groups
- Technically feasible
- Allows for standardized technology, maintenance and procurement
- Maintenance of fewer facilities
- Coordinated public marketing and education
- Established trend in the US

Although many alternatives were discussed and put forward, they were variations of four basic themes. Only one stood out as having significant merit for emergency operations and another for specific non-emergency operations. It is important to note that the term "Dispatch" is a misnomer for the services contemplated. Dispatch is one key component of an infrastructure that includes technical support, training, public information, emergency call-taking, non-emergency call-taking, data management and dispatching. Option #4, Consolidation of Police, Fire and Ambulance Dispatch represents the best choice as reflected in our recommendation for emergency services whereas Option #3, third party brokerage represents the best choice for certain non-emergency operations.

4.7. Potential Threats to Goals of Chosen Options

- Implementation may have a one time capital cost for facilities, training, technology infrastructure, and severance pay
- Reduced flexibility to implement policies for individual agencies to make operational changes 'on the fly'
- Loss of individual service (department) control - workers no longer directly accountable to individual agencies
- Provincial ambulance dispatch and call taking services are not currently under control of the municipality
- Increased bureaucracy
- Lack of key Stakeholder participation or agency withdrawal
- optimal service delivery may be compromised, no adherence to standards
- creates potential opportunity for conflicting goals
- Independent stand-alone structures are not the most cost effective model - folding into an existing department would be cheaper - the greater the independence, the greater the cost
- Potential watering down of expertise - dispatchers required to learn more overall, and less specific to each individual service - conflicting consensus on this issue
- Who is in control of the individual dispatch Units
- Ambulance dispatch funding not downloaded by Province
- Wage containment may result in increased staff turnover
- Upward wage migration may diminish potential cost savings

5. BUSINESS OVERVIEW

5.1. Dispatch Operations

The business of a Police, Fire or Ambulance communications call/dispatch centre is two fold. On one hand, vital public access to emergency services is provided by a 911 call. On the other, the communications centre must radio dispatch the appropriate resources to the scene. Precise procedures executed with clockwork efficiency are the hallmark of Public Safety communications center activities.

Currently, the Police communications centre handles all public 911 calls. If the call requires Fire or Ambulance resources the call is handed off to separate Fire and Ambulance dispatch centres. Unlike Police and Fire, the Ambulance dispatch centre is managed and operated by the province. The details of these operations can be found in Appendices A, B and C of this report.

The radio dispatch of other public services such as Hydro, Public Works and Transit are also mission critical. Typically, non-emergency communication centres are more focused on dispatch than call taking. The principal role of these dispatch centres is to provide support to and the management of, field resources.

The City restructuring will result in the existing 5 municipal electrical utilities becoming 1 new utility on July 1,2000. The existing Hamilton Hydro Operations Centre will handle the expanded service area of the new Hamilton Hydro, without any significant increase in operating costs. Dispatching is only a small portion of the Utility operations and during working hours, this function is integrated in normal business operations. In 1999, off-hour call answering for other City Utilities (Sewer & Water, Public Works, Culture & Rec, Facilities etc) were added to the Operations Centre. In the event of a City Call Centre being created, this service should be transferred.

Unlike emergency services where a real-time bridge between the public and field operations is managed by the communication centre, non-emergency centres have evolved from the principal role of operations support. Radio communications are essential to safety, emergency repair and maintenance of infrastructure. These agencies are usually aware of an “emergency” before the public is. In these operations the term “dispatcher” sometimes loses its meaning. Dispatchers can be supervisors in vehicles or control room specialists and do not emulate the standard definition.

The Task Force reviewed all radio dispatch operations and the associated call-taking role of each operation. The non-emergency public works and utilities, do not currently operate a dedicated dispatch service. The nature of these operations do not lend themselves to the types of alternate service delivery which we are considering for either emergency or non-emergency dispatch. Water and Sewer for example take calls from the public, the Ontario One Locates agency, and internal staff. Dispatch is automated primarily via the computerized Hansen system. These “dispatch” operations are highly integrated into the workflow of the individual departments and are very specific in function. At the present, we do not consider them as suitable candidates for amalgamation with either a non-emergency or emergency communications centre. Consideration should be given to transfer of some the responsibilities to a Call Centre application should one be created.

5.2. Mission Statement

The mission of a Communication Center is to provide quality service to customers in an expedient and professional manner while respecting the diversity of our community and recognizing our employees as our most valuable resource.

5.3. Vision Statement

To implement a calltaking/dispatch operations model which reduces cost and enhances performance.

5.4. Environmental Scan Infrastructure Table

The following three tables summarize the environmental scan of the consolidated dispatch centres reviewed.

June 1, 2000	Arlington	Fairfax	Montgommery	Munroe County City of Rochester	Alexandria	Pinellas County Florida
Model	Integrated 911 Fire/EMS&Police CallTaking & Dispatch	Integrated 911 Fire/EMS&Police Call Taking & Dispatch	Integrated 911 Fire/EMS&Police Call Taking Separate Police & Fire from Ambulance Dispatch	Integrated 911 Fire/EMS&Police CallTaking&Dispatch Plus a number of other agencies	Integrated 911 Fire/EMS&Police Call Taking Separate Police & Fire Dispatch/EMS	Separate 911 Fire Separate Police Separate EMS
Year formed	Mid 70's	1978	Separate – Plan to combine	1981	Separated in 1999	Long term plan to consolidate
Population	185,000	975,000	850,000	750,000	122,000	
Area sq. mi.	29 very high density	500	500	656	15	
Dispatch	40	108		78		
Facilities	Combined	Combined	Separate Floors Same Building	Combined	Separate	Separate with plan to consolidate
Union	No, right to work state	No, right to work state	Yes	Yes	Yes	
Part-Time	Yes, optional	Insufficient Full-Time	Yes	Policy is to have none.		
Admin. Support	Provided by police	County	County	In house + civil service	Fire	
Dedicated Non-Dispatch	Radio Communications Specialist	3 C.A.D.,3 Telephone, 1 Radio + 1 contract radio	None	Radio run by Munroe county with techs 25-30, separate division		
Equipment	Trunk Radio, county-wide	Conventional Radio, county-wide	Conventional UHF Radio Systems PD and Fire	Conventional	Trunk Radio	Trunk Radio
Funding	80% tax	15% tax	General Tax Base	General Tax Base	General Tax Base	
Revenue/ Levy	20% - 911 telephone tax	85% - 911 fees, $1.75 per line,	N/A	none	$0.50 phone tax	
Budget	$4.3 million	$13million operating, $7 million capital	Fire and Rescue only, $1.5 million	8.1 million 2 budgets, one for city, one for county	$1.6 million	
Exclusions	Non-Emergency EMS privatized Non emergency – other	Non-Emergency – other	Non-Emergency - other	Brockport now via mdt only still calltake for them. Fire EMS and Police dispatch only	Non-emergency	

5.5. Environmental Scan Opportunities & Threats Table

	Arlington	Fairfax	Montgommery	Munroe county, City of Rcchester
Opportunities from ASD (Amalgamated Emergency Dispatch	Seamless, to user Improved Response Time Fewer errors	Seamless, to user Improved Response Time Fewer errors	Easier to Manage	Reduce Cost, combine a lot of Mom and Pop operations. Seamless to user, 99.6% calls answered in under 10 sec.
Recommendations	Structure ECC as independent public safety entity Don't do non-emergency Take the time to do it right the first time Don't do it just for cost savings, Goal to improve value Training most important task Don't eliminate positions AVLC required	Structure ECC as independent public safety entity Don't do non-emergency Don't eliminate positions Don't overplan AVLC required	Structure ECC as independent public safety entity Don't do non-emergency Should Consolidate Consolidation will have to be mandated AVLC required	Equal treatment for each agency Don't do non-emergency Don't look for cost savings initially
Problems associated with start-up	Compensation disparity	Compensation disparity	Union issues Lack of Funding	Problems between agencies initially for equal treatment and confidentiality of calls. Cultural barrier between depts.
Current Problems	Staff Turnover 20-25%, uncompetitive wage, working conditions No Career progression opportunity Treated poorly by police, Treated as clerical by HR	Staff Turnover 20-25%, uncompetitive wage, working conditions No Career progression opportunity	Staff Turnover Cultural opposition to Consolidation	Like to have user agreements standardized 10 years to reach agreement between fire agencies to agree on certain issues like what is "daytime".

5.6. Environmental Scan Chronology Table

	Arlington	Fairfax	Montgommery	Munroe County Rochester
Historical	Fire/EMS Police	Fire/EMS Police		34 Individual small agencies existed among Pol fire and Amb.
Dispatch	Uniformed Fire Fighters Uniformed Police	All Civilian	Uniformed Fire Fighters Civilian Police	All Civilian - Quasi-uniform
Consolidated	Mid 70's	1978	Separate Dispatch	1983
Driving force for consolidation	New County Manager	New County Manager, Police Chief	Should Consolidate	1979 wanted 'metro police' Reduce cost New building early 90's. Had citizen reps, got everything they asked from safety council.
Reason	Efficiencies – amalgamation of Police and Fire	$ technology Avoid duplication	Ease of Management	$$ County is paying
Changes	Civilian Dispatch 1979 discontinued uniforms 1981 - last fire fighters out of dispatch, first C.A.D., turned 911 on, 1986 enhanced 911, 2000 wireless 911	Civilian Dispatch 1982-82 merged fire dispatch, and police 911 operators/dispatchers 1984 all new equipment, CAD, MDT, Phones, Radios 1987 moved in with Police		Established 1981 New building in 1991 with all new facilities
Reporting	Chief of Police	Chief of Police	County recognizes Police	City of Rochester Deputy Mayor
Training	All staff are cross-trained May not if larger	All staff are cross-trained	911 Police Call Takers& Dispatch Fire/EMS Fire Fighters Fire takes 911 overload calls.	All staff are cross-trained
Performance	Annual customer satisfaction survey Report a good level of public satisfaction	Report a good level of public satisfaction Missed performance targets for first time in 1999 due to staff unavailable	Staff undergo internal Quality Control Audit	Turnover low , good benefits,leave ,pension 2 full time quality assurance for fire 95% approval from public survey

5.7. Existing Business Assessment - Table 5.7.1

STAFFING	Ambulance		Police		Fire		Hydro	Water & Sewer	Region Roads	Pub Wks Traffic	Enforcement	Transit	Special Transit	Total
	EMERG		EMERG		EMERG		Non-Emerg	Non-Emerg	Non-Emerg	Non-Emerg	Non-Emerg	Non-emerg	Non-emerg	
Switchboard			3	HWRPA										3
Support Staff	2	OPSEU												2
Call Taking			3	HWRPA										3
Dispatch														0
Operations							12							12
Specialized			3	HWRPA			2							5
Integrated	29	OPSEU	44	HWRPA	12	IAFF	4	3			1			93
Operations Manager	3	NU	1	HWRPA										4
Manager	1	NU			1	IAFF	1							3
Supervison	7	OPSEU	4	HWRPA										11
Part Time	15	OPSEU	19	HWRPA			3							37
Total - Full Time	42		58		13		19	3	0	0	1	0	0	136
Total - Part Time	15		19		0		3	0	0	0	0	0	0	37
BUDGET														
Direct			$4,039,106		$1,068,938		$1,450,000	$157,273.72	$-	$	$	$351,836.00		$7,067,154
Overhead			$1,470,400		$9,431									$1,479,831
Combined			$5,509,506		$1,078,369		$1,450,000	$157,273.72	$		$ -	$351,836.00	$ -	$8,546,985
Recovery			-$240,000		-$269,095		-$100,000					0		-$609,095
Net	$3,145,808		$5,269,506		$809,274		$1,350,000	$157,273.72	$ -	$ -	$ -	351,836.00	$ -	$11,083,698
Funding Agency	Prov. 100%		New City		New City		Rates	New City	New City			New City	New City	
Services Area	Intramunicipal - Niagara Region , - Brant, - Haldimand, - Norfolk, - New City				New City		New City	New City	New City			New City	New City	

Service Provider	Ambulance, Province Until April 1, 2001		Fire	Hydro	W & S / *Hydro After Hours*	W & S / *Hydro After Hours*			HSR	DARTS	
Service Location	240 Fennell .	155 King Wm	729 U Sherman	55 John N							
Hours of Operation	7/24	7/24	7/24								
Telephone Number	911	911	911 546-3366		546-4484 *After Hours* *546-2710*	546- *After Hours* *546-2710*					
TECHNOLOGY											
Hardware	9-1-1-E Radio = MOH Dispatch Console = PENTA CAD = ARES		9-1-1-E Corporate Centrex Norstar + ACD Max Radio = HWMTRP Trunked CAD = Intergraph - Police/Fire Voice Recording - Dictaphone Prolog Time Synch = Netclock	Radio - Private trunked Radio - Private UHF Radio - AVL CAD - AM/FM & Scada SL-1 + ACD							
Software		MacIntosh Windows 95 Windows NT IPS CAD Office 97	Windows 95; Windows NT; IPS CAD; Office 97	AM/FM, SCADA, HANSEN, Windows NT, Office 97					Trapeze		
Network		Mac Net Corporate Net IPS CAD Net HHES ATM Cablevision Fibre	Corporate IPS CAD Net HHES ATM Cablevision Fibre	HHES ATM Fibre		Corp Net Fiber		Corp Net Fiber	Corp Net Fiber	Corp Net Fiber	

5.8. Non-Emergency Communication

There is an opportunity to improve services and reduce costs by establishing a communications centre for non-emergency transportation in Hamilton, along the lines of the non-emergency medical transportation brokerage model implemented by Waterloo Region, the City of Kingston and Elgin-St. Thomas.

Although the allotted timeframe has not permitted an in-depth evaluation of this ASD opportunity, the collective knowledge of the task force with the brokerage concept combined with the evidence of similar working models in place in the Province leaves the task force confident in the opportunities for service improvements and cost savings as expressed in the recommendation.

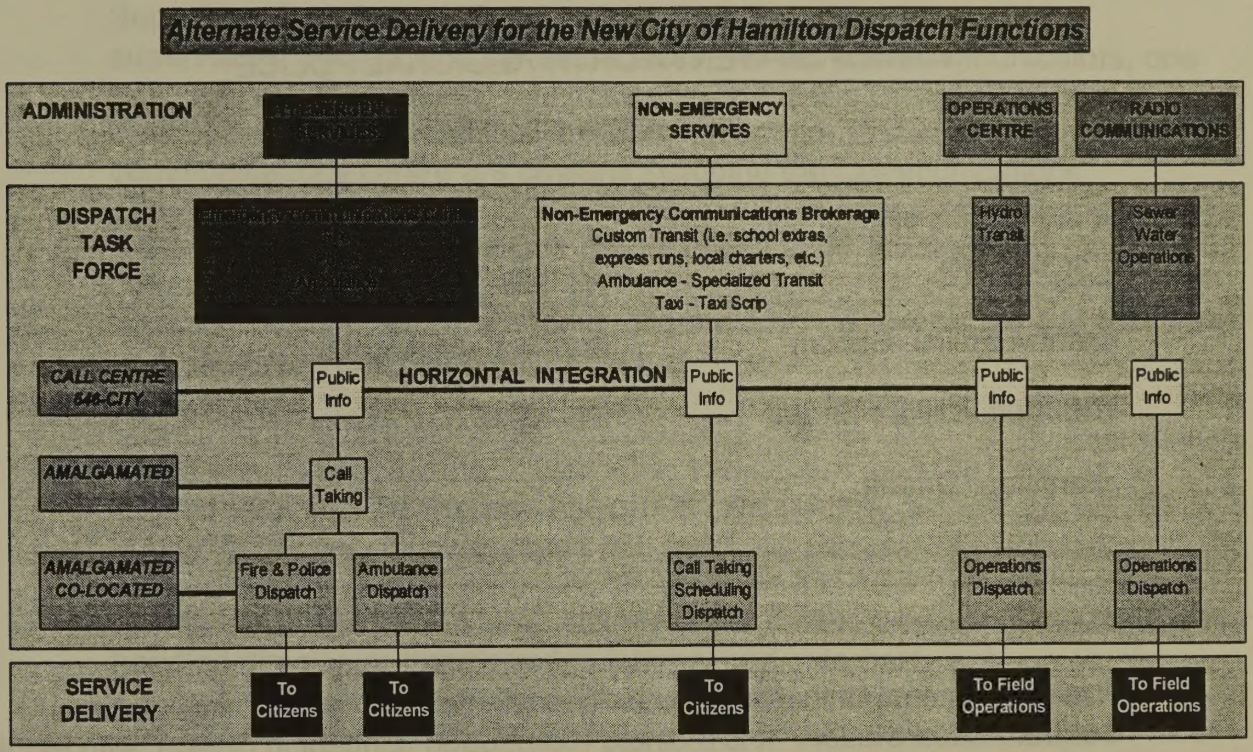
Initially, the Dispatch Task Force had included non-emergency within the consolidated concept. It became evident that the emergency and non-emergency components were so vastly different, that they were deemed incompatible. This total amalgamation concept was abandoned.

The idea of a consolidated brokerage service for non-emergency is a more practical step. Non-emergency services are comprised of four key functions customer information, trip booking, scheduling and dispatching. This service can be managed by the same administration and be housed in the same facility as emergency, so long as the operations are kept physically separate. The non-emergency centres could also conceivably produce a ready-made pool of candidates for advancement into emergency dispatch.

A non-emergency transportation brokerage would coordinate non-emergency transportation service delivery based on the lowest cost mode for the specific requirements of the client. Essential functions include maintaining contracts with the service providers, managing the administrative and technological aspects of booking, scheduling, dispatch, finance and funding, and other duties such as quality assurance, complaint management, and liaison, orientation and training for the health care professionals who would be authorized to request service on behalf of patients.

The wider the range of services coordinated by the dispatch, the greater the opportunities for ensuring that requests for service gravitate to the lowest cost provider capable of adequately responding to the need.

5.9. Proposed Organization Chart for Service Delivery


Alternate Service Delivery for the New City of Hamilton Dispatch Functions
ADMINISTRATION
EMERGENCY SERVICES
NON-EMERGENCY SERVICES
OPERATIONS CENTRE
RADIO COMMUNICATIONS
DISPATCH TASK FORCE
Ambulance
Non-Emergency Communications Brokerage
Custom Transit (i.e. school extras, express runs, local charters, etc.)
Ambulance - Specialized Transit
Taxi - Taxi Scrip
Hydro Transit
Sewer Water Operations
CALL CENTRE 546-CITY
Public Info
HORIZONTAL INTEGRATION
Public Info
Public Info
Public Info
AMALGAMATED
Call Taking
AMALGAMATED CO-LOCATED
Fire & Police Dispatch
Ambulance Dispatch
Call Taking Scheduling Dispatch
Operations Dispatch
Operations Dispatch
SERVICE DELIVERY
To Citizens
To Citizens
To Citizens
To Field Operations
To Field Operations

6. APPENDIX A - POLICE SERVICES DISPATCH

HAMILTON-WENTWORTH REGIONAL POLICE

DISPATCH CENTRE

LOCATION	Contact
Central Police Station	Staff Sgt. Jack Loft
155 King William Street	546-4716
Hamilton, Ontario	

FACILITIES

The Police communications centre is located on the ground floor of the Central Police Station. It is a single room, open concept in design, with eight Calltaker workstations, four dispatcher workstations and two switchboard stations. The area is approximately 2000 square feet which includes 2 switchboard operators, 8 call taker positions, 3 dispatch positions and one supervisor position. A separate office down the hall from the centre, accommodates the Staff Sgt. in charge. In addition, the CAD administrator is located in the "war" room, immediately adjacent to the communications centre for a total additional space of about 500 square feet. The "War" room includes a fully functional dispatcher workstation as well. A separate office houses the Alarm co-ordinator. A generator provides back-up electric power.

GEOGRAPHIC AREA SERVED

- -Regional Municipality of Hamilton Wentworth
- -Population base is 462,000 (1997)
- -Some shared services with Halton for Water patrol and Canine.

ORGANIZATIONAL STRUCTURE, AND STAFF.

Under the direction of the Deputy Chief, Field Support Services, and a Superintendent Support Services, the Staff Sgt. directs a staff of 7 supervisors, 20 part time communicators, 40 full time communicators, one radio technician, one CAD administrator, one alarm co-ordinator, six switchboard operators, and a half person secretarial staff. All staff in the communications centre are civilians including the Communications Supervisor. A system of 12 hour shifts results in an average 42 hour work week. Three positions are Call Takers only and 60 positions are communicators (calltaking and dispatch capable). The switchboard is an 8 hour/day position, with 2 staffed during the day and one on the 4 to midnight shift. Midnight to 8 AM is not staffed.

I was unable to determine the exact number of calls taken by the switchboard. About one call per minute arrived while I was there, and the Dictaphone logging equipment indicates about 1000 calls per day on weekdays. The annual figure very likely exceeds 300,000 calls per year. Emergency calls arriving at the switchboard are re-directed into the ACD 911 call queue for distribution to the pool of Call Taker positions. The balance of calls are either handled directly, or transferred to internal and external telephone numbers.

The 911 Call-taker positions answer 90,754 emergency calls per year, plus 202,092 non- emergency calls (1998 figures). CAD records nearly 100,000 service events per year, each of which requires the dispatch of resources to a location in the Region. A further 70,000 events are logged on CAD for incidents generated internally or by officers (i.e. traffic stops). The centre dispatches a force of 56 (minimum complement) uniformed officers, up to 10 detectives, up to 15 HEAT officers plus approximately 20 others consisting of summons servers, divisional safety officers, and community service personnel.

PHYSICAL LAYOUT /ENVIRONMENT

The centre is divided into five work areas in an open concept design. The first area is for police switchboard (2 positions). The remaining area consists of four groupings of 3 stations arranged with 2 CT positions opposite a dispatch console. One of the four is the supervisor's console. The three remaining dispatch workstations are dedicated to a specific geographical area. The open concept allows for audible voice communications throughout the room. The room has good sound damping characteristics, and the noise level including voice traffic is acceptable.

TECHNICAL EQUIPMENT

Dispatcher

- Function specific style dispatch consoles to accommodate 2 large screen CAD video monitors, key board and a mouse
- Intergraph CAD Mapping Monitor , forms Monitor
- Radio dispatch monitor console
- multi-line 911 telephone set
- Call check recorder
- emergency back-up base radio
- CPIC printer

Call-taking desks

- Apple computer (E-mail, and in house data bases)
- dual position desk
- Intergraph CAD monitor/ keyboard
- multi-line telephone set
- individual headsets
- Call check recorder

Communications Supervisor

- all dispatcher equipment, *plus*
- voice logging equipment
- additional tape recording/playback equipment
- CPIC back-up terminal
- ACD Max / terminal
- TDD (telephone device for the deaf)

CAD Administrator and Radio Technician

- 2X Sims radio administration terminal
- CAD administration terminal (fully functioning CAD workstation)
- Badger Alarm system
- Radio dispatch/ monitor console
- 3 CAD servers, 1 NT computer, 1 RNC MDT server

FUNCTIONAL DESCRIPTIONS OF TECHNICAL EQUIPMENT

Intergraph CAD

- client/server system.
- proprietary graphical user interface operating system similar to “MS Windows mouse / keyboard operation
- multiple port database capability
- Call taking / cataloguing / call routing / CAD number assignment / priority
- Car resource / status list
- Call queue
- Call timing
- MDT call assignment and messaging
- CPIC interface
- MDT interface
- Radio ID interface
- enhanced 911 interface
- address field verification / cross street information (if verified)
- chooses beat number
- remarks fields

Intergraph CAD Mapping

- map system integrated to CAD functions
- complete street map database for entire Region
- slaved to call information
- operator selectable screens
- beat maps
- last assigned beat car location.
- map navigation (zoom, scroll left etc.)

Trunked Radio

- DOS mode operating system
- multi-functional mouse operated communications screen
- configurable resources available to the operator
- busy indications and color codes.
- additional functions include phone patch, talkgroup patch, multi-select
- headset configured to combine telephone and radio operations
- PTT via mouse click, or foot-pedal
- Emergency alarm

Multiline 911 Telephone

The Bell 911 system, is a separate telephone and database system, terminated at the PSAP. An automatic call distributor (ACD) routes incoming calls to the next available call taker. The ACD keeps records of 911 calls so that statistics can be gathered. Each call contains electronic data called ANI (automatic number information) and ALI (automatic location information), which is fed to a CAD port. ANI/ALI information follows a transferred 911 call to the next agency. 911 calls go directly to Call-taker positions.

A back-up multi-line phone system is readily available connected to the CO (central office) incoming 911 trunk lines.

CALL PROCESSING MECHANICS:

Calltakers (CT)

The police department is the public safety answering point (PSAP) for Hamilton-Wentworth. All dialed 911 calls arrive at this centre and ring directly to the call-taker phones. Two additional special phone lines accommodate emergency calls from customers with Caledonia and Galt phone numbers. Emergency calls arriving on the administration line (546-4925) calls are also transferred into the 911 call queue by the switchboard operators. Calls from many other emergency sources also arrive directly at the calltaker positions, (i.e. OPP, ambulance, and fire.).

Calltakers "sign on" to the 911 phone system so that the calls can be directed to staffed positions. An electronic board displays the number of Calltakers available and sounds an alarm if the 911 call is not answered promptly.

A call taker takes a 911 call by answering *"911 do you require POLICE, FIRE, OR AMBULANCE?"*

Police calls are taken by the call taker, and information is entered into a CAD system. A location, and call type are the minimum inputs to CAD. The call is automatically sent to the appropriate dispatch position. The caller is kept on the line (911 seizes the line and will not release) until the CT is satisfied that the situation is under control. If the caller hangs up, an automatic ringback sequence can be initiated. Communicators must conform to the formal procedure as described in the 'Priority response system manual'

Non-police 911 calls are routed by "one touch" telephone transfer, to Fire, Ambulance, or OPP dispatch Centres. The call taker stays on the line with the caller while the call transfers, and does not leave until he is satisfied that the call is being handled, and that police are not required. There is no transfer of information between the call taker and the Fire/Ambulance dispatcher (except ANI/ALI).

ANI/ALI automatically provides the name and address fields on CAD. The CT must verify the name and address with the caller. Since not all calls arrive via 911, the CT must enter the mandatory data fields, plus name and any other information. A CAD number is assigned automatically, and the call is sent to a dispatcher screen. A CT can override the call priority (assigned by CAD based on event type) to either upgrade or downgrade the priority. Calls can be stacked (multiple event inputting) on CAD, with certain limitations. CAD assigns a dispatch time limit based on event type, but this was not evident to the observer.

Calls for assistance may also arrive from a variety of other sources. Calls from other agencies, cell phone callers, MDT's, the general public, and internal administrative staff can all generate events. Information calls and follow-ups on events occupy a considerable amount of time for the CT.

Once the call has been assigned to a dispatcher position, the CT may continue on the line, and add information to the event via CAD. A caller may call several times for the same incident. The CT can access some features of the CAD system, acting as back-up for the dispatcher. The CT can perform several back-ground tasks such as CPIC. The ability to speak directly on the area radio channel is available but seldom used. The dispatcher is flagged each time there is update information available for the event but must click the update icon to receive the new information.

Many of the CT internal administrative calls also use CAD functions, i.e. locating an officer, determining which incident a beat car is involved with, Person queries, call details for report writers, and MDT log-ons. The CT can also send call details and updates to an officer via the MDT. MDT messages from Calltakers arrive directly at the MDT, bypassing the dispatcher. For event updates and additional call details, the CT must prompt the MDT user to view the new information. Messages sent directly from the CT to an MDT bypass the dispatcher,

DISPATCHER

Dispatchers and call takers rotate through 911 call taking, and dispatch duties every shift. CAD activity is tied to the operator, requiring them to log on, and off for each session. There is never a time when the (dispatcher) position is left vacant. There is some verbal de-briefing between operators during the transfer. They must also log on to their telephone. The dispatch operator is informally confined to managing radio and MDT traffic to the police officers. Telephone calls are primarily outgoing for notifications.

Calls appearing on CAD are dispatched to a beat car according to availability and call priority. Beat numbers within each sector are fixed, and form the basis for dispatching cars. The dispatcher assisted by the roster, the call queue, beat maps and beat car status, is responsible for keeping track of cars and calls. Calls may be dispatched by voice radio and by MDT, depending on policies, call type and officer availability.

MDT messaging is used extensively between dispatch and the officers. Interestingly, officers can view the current call pending list on CAD from their MDT. Uniformed officers log on using the MDT, others are done manually if at all.

The dispatcher must constantly scan the CAD screen for updates, MDT messaging, lunch times, call duration, and cars coming available for assignment. Overdue or lengthy periods with no communications can signal trouble, and the dispatcher will initiate a check with the mobile unit.

SUPERVISOR

The Communications Supervisor controls the all activity within the communications centre including

- attendance, relief times, lunches
- adherence to time commitments for dispatch incidents
- pursuit control
- provide relief dispatch functions as necessary
- maintaining order in communications centre, dispensing discipline
- maintain minimum staff complement, schedule for sick time, staffing requirements
- field service complaint calls
- continuously monitor staff performance
- monitor all district dispatch activity, take pro-active steps to avoid problems
- monitor the Provincial Common Channel

SWITCHBOARD

2 Daytime operators share the call volume from all incoming lines except 911. The annual calls are estimated at approximately 300,000, which from observation equates to an almost continuous stream of calls. Calls are re-directed to within the Police service and 911 Call-takers for the most part. A considerable volume of calls are 'community related'. The long established police telephone number is very popular with the public and it is used as a general information desk. My observation indicates that a good general knowledge seems to have developed among the staff, and most caller requests are satisfied. When no operators are present, all switchboard calls are re-directed to the call taker positions.

OPERATOR TRAINING AND REQUIREMENTS

- in house hiring
- in house training plus OJT is required.
- Keyboard skills are a must.
- any acts or regulations as required knowledge?
- Perfex or equivalent
- Manuals are available on site

  -All shift binder for daily briefings and daily E-mail

  -Field version Policies and Procedures

  - Priority response system Manual

  -Emergency Procedures Manual

  -New version Training and Policies manual in final draft

OTHER OBSERVATIONS:

- there is not the sense of urgency in the police communications centre, that I detect in the ambulance service. The work flow is relatively smooth.
- Operator confidence is high. The CT's and dispatchers operate as a team.
- There is a high reliance on keyboard skills.
- Administrative type calls account for a significant part of the CT workload.
- Some switchboard operators don't see themselves as part of the team.
- Switchboard could benefit from more numbers being published in blue pages

7. APPENDIX B - FIRE SERVICES DISPATCH

City of Hamilton Fire Dispatch Centre

LOCATION

729 Upper Sherman Ave	Contact person	Captain Chuck Wilson
Hamilton, Ontario	Telephone #	546-3363

FACILITIES

The Fire dispatch Centre operates out of a stand-alone building in the centre of the Hamilton Mountain, owned by the City of Hamilton. The facility serves both as a communications centre, a working fire station, the Region's primary Emergency Operations Centre, the Training Division Offices and a remote Fire Prevention Office. The area dedicated to dispatch operations is approximately 1000 square feet consisting of 1 Supervisor's office, a small kitchen an equipment room and a main dispatch (approx. 800 Sq. ft) area. The entire facility has emergency power from an on site 85 Kw diesel generator.

GEOGRAPHIC AREA SERVED

The centre serves the Regional Municipality of Hamilton Wentworth, which includes the City of Hamilton and the five adjoining municipalities. It serves a population of 462,000 (1997) people. The total call volume is 19,420 alarms in Hamilton, and 5,698 in the area municipalities (1998 figures).

ORGANIZATIONAL STRUCTURE, AND STAFF

The Hamilton Fire Department operates the Communications Centre. A Chief Communications Officer oversees a staff of 12 full time dispatchers which is supplemented by on-duty fire fighters to cover shortfalls. There are no part time positions.

Each 12-hour shift has two dispatchers, with an additional person every other shift. One dispatcher is dedicated to the City of Hamilton, and one to the "Region". The workweek rotates through 2 day shifts 2 night shifts and four days off averaging 42 hours per week.

There are 11 stations plus one training complex in Hamilton, with a complement of 43 fire vehicles. A minimum staff of 70 firefighters is maintained at the firehalls.

In addition there are 13 Fire stations in the adjoining municipalities, with personnel and vehicle complements as follows:

AGENCY	Daily Staffed	Full Time	Part Time	Admin	# Vehicles	
City of Stoney Creek	11	47	90	2	19	
Town of Dundas	6	13	28	2	9	
Glanbrook	0	0	48	0	9	
Flamborough	6	3	130	1	20	
Ancaster	8	18	18	1	7	

The 911 answering point (PSAP) for Hamilton and the Region is the Hamilton-Wentworth Regional Police.

PHYSICAL LAYOUT /ENVIRONMENT

A room dedicated to dispatch services, has four dispatch positions, two on each of two dispatch consoles located one behind the other. A separate desk accommodates a fifth EOC radio console. There are three dispatcher positions, one supervisor position and one EOC position. Two positions are normally staffed, one for the Regional Fire departments, and one for the Hamilton Fire department. Functionally the positions are interchangeable.

TECHNICAL EQUIPMENT

- Function specific style furniture to accommodate video monitors and key boards. Ergonomic, electrically adjustable desks.
- individual integrated radio/telephone headsets
- Nortel Norstar telephone system (hot buttons for Burl Fire, OPP, HWRP, Ambulance)
- Zetron model 26 vehicle status monitors
- Zetron model 25 Paging encoders
- Centracom Radio consoles
- Zetron 921 ANI/ALI screens
- Standby VHF and Trunking Spectra radios.
- Timestamp time clock
- Ambulance ANI/ALI video terminal and logging printer
- 911 printer
- Dictaphone PROlog 64 channel logging recorder
- Networked PC workstations with E-mail

CALL PROCESSING MECHANICS

- Two dispatchers (doubling as calltakers) accept incoming calls from:
- 4 dedicated 911 lines via the PSAP
- 2 lines for private alarm companies (3366 and 3367)
- general inquiry line
- Ambulance dispatch
- Police dispatch

Incoming calls (all types) ring at all positions, and either dispatcher takes the call answering "Fire Department Emergency". The 911 and other emergency lines calls have a distinctive loud bell ring, and are answered immediately. The 911 calls are the only calls that carry ANI/ALI information to the Zetron model 921.

The minimum information required for a fire call is:

- Confirmation of Street address and City
- Confirmation of caller name
- Nature of the problem

Prior to releasing the caller, the dispatcher will ask a series of relevant questions depending on incident type. i.e. "is everyone is out of the building?".

A manual card system is used to log each call which is time stamped at the time the alert is transmitted to the fire station(s). The card system is soon to be replaced by CAD. A folder containing summary data is maintained for each City ward and each Regional Fire department. Logging of telephone and radio communications is accomplished automatically via the Dictaphone PROlog voice logger.

Regional Dispatch:

The dispatcher decides which fire department should respond to the call, and alerts the fire halls and volunteer forces. The appropriate pagers are selected on the paging encoder and pagers are set off. Voice messages from the dispatcher are also routed to the pagers simultaneously with the Trunked radio dispatch. Staffed Fire halls are alerted via a special alarm signal transmitted over the Regional dispatch radio channel. This is followed by a voice announcement of the call details over the Trunked radio (and simultaneously over the paging channel). The responding Chief, fire Hall, and fire trucks make contact with dispatch to confirm that the call has been received and that the apparatus is on its way. In the case of Regional fire departments, the dispatcher, except for special types of alarms, makes no decision regarding the level of response, or which apparatus should be sent.

The dispatcher issues a verbal command to switch to an operating channel (usually TAC2), and the remainder of the fire communications are then conducted on this operating channel. A special "answerback" procedure is still used by the dispatcher to repeat radio voice traffic. By repeating the information from the field radio, the dispatcher both confirms reception, and allows the incoming members with only pager receivers to "listen in" in the Trunked radio channel. Dispatch continues to monitor and interact with the fire-ground vehicles and the incident commander during the course of the fire. Times are recorded for all notable events during the alarm.

The call is finalized when all vehicles and apparatus are returned to their respective stations, and all time stamp information is relayed (by phone) to the station.

Hamilton Dispatch:

Calls taken on the Hamilton dispatch desk differ somewhat in how the information gets to the fire station. Call taking is the same, as is the card and time stamp system. The stations are all at strength on a full time basis, and crews can be called at the station by Public address. The Zetron Model 26 can energize a Zetron model 6 unit, and the public address system is activated in one, or any combination of fire halls. The initial dispatch information is given over the air, and simultaneously over the selected PA enabled stations. Usually all stations are paged, and at a minimum, the closest station and all adjacent stations are paged for readiness. Responding stations are determined by a cross reference dispatch book and zone dispatch tables.

A Zetron model 26 displays the status of all vehicles in the fleet, and can help determine which apparatus is available for a call. The type of call will determine to some extent which apparatus is dispatched.

The fleet of vehicles is managed primarily by dispatch. The model 26, plus vehicles reporting their status by radio, paper notes, and the memory of the dispatcher combine to form the vehicle location management system.

Administration Calls

A large volume of calls received relates only to administrative functions. The general inquiry line is answered here, and incoming calls are re-directed to the various departments. Stations also call with requests for time stamp information. The general public can generate a lot of non-emergency calls. The dispatchers act as a general information switchboard and seem to be very knowledgeable.

Ministry of Health Calls.

Approximately 65% of fire calls are made up of requests for assistance from MOH to assist with patients for the administration of oxygen. A code 4 designation at Ambulance will automatically trigger this "tiered" response for what are known generically as "Inhalator calls". Ambulance dispatch calls the fire department by phone, relays the call details, and requests the attendance of fire personnel and apparatus. To verify call details, ANI/ALI information is available on a special monitor, and an ambulance 911 call logging printer. The Fire Department routinely responds to these types of calls as a matter of policy.

The dispatcher also monitors the Ontario Fire Marshall's radio channel, the ICALL and the ITAC radio channels. These channels are used for mutual aid, and roaming fire department vehicles. Occasionally, a request for assistance may come via OFM or ICALL.

OPERATOR TRAINING AND REQUIREMENTS

Permanent Dispatch personnel are generally hired from the civilian workforce. The positions are first offered to members of the Fire Fighter's Association. New personnel are trained by on-duty dispatch personnel and the Supervisor.

Fire Fighters that supplement regular communications personnel are selected by their Platoon Chiefs and are sent to the Communications Division for eighty hours of training before being certified to fill in. A continuous training program is utilized to distribute the fill-in responsibilities to many Fire Fighters.

In 1999 a new Computer Aided Dispatch system is being implemented to replace the manual records and dispatch system in the Communications Centre. The CAD system will require an additional eighty hours of training for each Operator.

OTHER OBSERVATIONS:

- No keyboarding required at the dispatch position. With the introduction of CAD, keyboarding will become an integral part of dispatch process.
- No official policy on lunch times or coffee breaks. They are taken when there is an opportunity. There are no allocated lunch or break times during the twelve hour shift. Supervisors provide relief.
- The public general inquiries line is answered by dispatch, and a lot of time is spent answering inquiries, and transferring calls to the appropriate internal department. I noted a call from a station asking for spelling of a street name.
- Each of the two dispatch positions use a headset to communicate to their respective radio units. They also keep a speaker watch on the opposite console allowing them to respond to calls when the opposite dispatcher is

busy on the phone. Normal operations allow the non-busy dispatch position to help with phone calls, alerting procedures, information look-up duties and the like. This seems to work very smoothly.

- According to one dispatcher, the MOH prefers a pumper to be dispatched to code 4 “inhalator calls” because it carries equipment (defibrillator and oxygen therapy) and extra manpower.

8. APPENDIX C - AMBULANCE DISPATCH

Hamilton Central Ambulance Communications Centre

LOCATION

282 Fennell Avenue West	Contact person	Al Duffin
Hamilton, Ontario	Telephone #	383-9838

FACILITIES

Stand-alone building, owned by the Ontario Realty Corporation on the Hamilton Psychiatric Hospital Grounds. The Regional Office facility is approximately 5,000 square feet consisting of 2 managers offices, reception, administration, Lunchroom, washrooms, Main dispatch area, a training room, an investigation office, and some ante rooms for equipment.

GEOGRAPHIC AREA SERVED

The centre serves the Regional Municipality of Hamilton Wentworth, Brant County, Haldimand Norfolk, and the Regional Municipality of Niagara, with a population base of approximately one million. The total call volume is approximately 172,000 with about 60% taking place in Hamilton-Wentworth.

ORGANIZATIONAL STRUCTURE, AND STAFF

Ambulance dispatch is a branch of the Provincial Government, Ministry of Health, Emergency Health Services Branch. A Manager directs a staff of three District Operations Managers, 7 supervisors, 29 calltakers/dispatchers and 2 administration staff. There are about 70 ambulances dispatched from the centre.

Most shifts are 12 hours, but there is one platoon of 2 persons added on a regular 10 to 10 shift, plus a 3 person 8 hour shift added daily at peak times. The workweek is 40 hours.

There are four “duty” areas. ‘Duty’ refers to the dispatcher’s geographical coverage area, and in one case the ‘transfers’ dispatcher.

The PSAP for Niagara is the Niagara Regional Police. The PSAP for Hamilton is the Hamilton-Wentworth Regional Police. Brant and Haldimand-Norfolk are Bell Neutral Answering Service (BNAS). BNAS is answered “Police Fire or Ambulance?”

PHYSICAL LAYOUT /ENVIRONMENT

The centre is designed so that each workstation is separate, yet clustered adjacent to each other. The Call-taker positions and supervisors desk are an extension of the dispatcher workstations, yet remain within talking distance of each other. There are many occasions on which voice traffic between personnel is required. The dispatch centre can become quite noisy with everyone in the same room talking at the same time.

TECHNICAL EQUIPMENT

Function specific style furniture to accommodate video monitors and key boards. Ergonomic, electrically adjustable desks.

- Mapping Monitor + keyboard Niagara and Brant only
- ARIS Monitor 1
- ARIS Monitor 2
- ARIS keyboard
- PENTA communications Monitor / mouse.
- Hospital availability (Status) Monitor
- individual headsets

Functional descriptions of technical equipment

- **ARIS** -Ambulance Response Information System
- Province wide central server system (except Metro Toronto)
- multi-function visual display of call information
- ANI/ALI
- DOS based (non-windows, no icons, no mouse, keyboard only)
- assigns call numbers, and attaches time stamp information to the call history
- validate address information and supply a UTC geo-code.
- comprehensive data base access but limited to recent events
- real time data base construction
- main menu covers a host of operator requirements for data input and display.
- system of color coding for call type, or vehicle status screen

- duty (call area) specific displays available
- resource (ambulance list) display available
- manual refresh required
- integrated clock to time calls
- statistical data capability

Mapping Computer

- Stand-alone system not interconnected to ARIS or PENTA
- Driven by a UTM#, (a geo-code) manually typed in from ARIS screen
- system is not used as it is too slow and fails (crashes) on zoom operations.
- ARIS will not give UTM unless the call information matches a database entry.
- mapping is available for Haldimand, Hamilton-Wentworth, Brant, and Niagara.

Penta Communications Screen

- multi-functional mouse operated communications screen
- status screen indicates current selected resource, external speaker selections,
- busy indications and color codes.
- incoming administration, 911, and PERS lines
- outbound phone lines with preprogrammed pop-up number screens
- intercom function between Call-taker and dispatch positions
- radio tower/ radio resources (PTT duplex, semi-duplex, simplex)
- base autodial ('base' is a term which refers to an ambulance station)
- personal paging autodial + voice announcement
- patching, conference
- Tel transfer / hold
- dedicated autodial buttons (OPP etc.)

Hospital Status Monitors

- Available at each of Niagara, Hamilton, Simcoe-Brant, and the back-up desk
- stand-alone, not integrated with ARIS or mapping.

CALL PROCESSING MECHANICS:

Three Call takers accept incoming calls from:

- public access lines from distant districts forwarded to Hamilton
- includes 574-1414 and a 1-800#
- administration lines
- other dispatch centres
- ambulance 'base' locations ('hot shot' autodialers to the CACC)
- hospitals ('hot shot' autodialers)
- ambulatory centres (all types)
- 911 via PSAP's
- PERS via BNAS

The calls from all of the geographic zones converge into the centre. The Call-taker accepts the next call in the queue, answering *"ambulance dispatch, is this an emergency?".* Emergency calls are automatically brought to the top of the list on the PENTA. There are three call taker positions, three area (duty) dispatch positions, one auxiliary overflow dispatch/Call-taker position, one transfer desk dispatcher, and one supervisor position. PERS and 911 calls ring at all positions, with the Call-taker usually taking the call initially. The City, Street address, nature of problem, and patient status are four mandatory inputs to ARIS. The Calltaker determines which duty area is appropriate and ARIS signals the dispatcher audibly and visually to the call. Priority code is established by type of condition or patient status and may be manually upgraded by the Call-taker.

A call taker has one minute to select, answer, code the call, complete the minimum call details, and decide which of police and fire resources should be sent. The allocation of police or fire resources is called 'Tier" response. The Call-taker must decide on the level of tier response the policy for which can vary for each jurisdiction and fire department. Call-takers may put a 911 call on hold while fire or police are dispatched.

ARIS provides help screens for the Call-taker, tailored to get exact information from the caller with code specific questions. A system called

"Dispatch Priority Card Index" guides the Call-taker to offer advice, help and instructions for the caller. The Call-taker may or may not stay on the line with the caller depending on the call type, tier response requirements, and operator discretion.

Dispatcher:

The dispatcher responds to the audible and visual alerts from ARIS with the call information appearing on the appropriate duty screen. The call must be dispatched in the following minute. (a variance report is required for slow responses). The responding 'Base" is determined by either local knowledge, or a system of map books, map tables and wall maps. An available ambulance (crew) is targeted for the call and is called by radio, or telephone, or pager, or by base paging depending on the urgency code of the call, and the known (unknown) location of the crew. Usually, only the call code and the best location description are given initially, followed by more details when the ambulance is enroute. The ambulance is sequentially assigned one of 8 status conditions (advised, enroute, arrived scene etc.) each of which is reported, logged, and time stamped. Communications 'patches' from ambulance to hospitals are logged, as are 'pre-empts' and cancellations. ARIS increments and keeps records of all of these actions. The operator can alter time stamps but a valid explanation must be recorded in the ARIS notes. Updates for the call (entered from another duty station or Call-taker) must be pulled up manually by the dispatcher, (pressing the home key on ARIS) and the new details are dispatched by radio to the responding ambulance unit.

A back-up system of cards is available should the ARIS system fail. A multichannel radio is available should the PENTA system fail.

Emergency calls from other centres can arrive by telephone, and also by a unique feature of ARIS. A call taken at another CACC can be sent via the ARIS network to appear directly at the appropriate duty position.

The dispatcher is responsible for keeping track of ambulance status, crew assignments, crew location, lunches, and shift times. In addition, out of town transfers can remove an ambulance from the control of the dispatcher. (note: ARIS does track out of Region Vehicles). He is then responsible for drawing on adjacent areas for standby coverage. Other duties include double dispatches, updates and notifications to other dispatch positions, hospital notifications, providing time stamp information to ambulances on call completion, time stamp amendments and notes on ARIS, log-on/ log off procedures, evaluating the potential for up-staffing of bases when resources reach a critical point, and resolve rural or mismatched addresses to mate with the ARIS database.

Transfer Desk:

This dispatcher position is configured with the same complement of equipment as the other duty areas. Non-emergency patient transfers can be scheduled or non-scheduled. A dispatcher is dedicated to organize these types of calls. All scheduling is completed on ARIS, although the schedule undergoes many adjustments and changes during the course of the day. A manual 'crib sheet' is used to constantly optimize the schedule. Patient name, pick-up location, drop location, and time form the essentials of a call. Hamilton-Wentworth and Niagara each have 4 dedicated transfer ambulances, and Brant uses any available units. Hamilton-Wentworth has a separate radio channel for transfers, but for the other areas, the working channel is used. The dispatcher is listening to 3 radio channels and the telephone much of the time. Bookings come primarily via fax and phone. Telephone traffic accounts for most of a dispatcher's time. The resources are limited, but the service demands vary greatly.

Supervisors Desk:

One supervisor is active per shift. Duties include, problem solving, decisions on upstaffing, informal employee performance review, scheduling replacements for staff, advising staff on new procedures and memos. The supervisor, monitors the ongoing performance of the CACC, is responsible for Training issues, and fills in sporadically for busy duty positions.

OPERATOR TRAINING AND REQUIREMENTS

A new entry requires:

- Grade 12
- first-aid certificate
- CPR certificate
- a clear criminal record
- able to read and write English
- pass a Perfex exam
- and minimum 35 WPM keyboarding.

A trainee system is outlined in the CACC Hamilton 'TRAINING MANUAL'. Formal training plus extensive OJT is required to become proficient. Examinations determine competence, and rejection can occur based on scores, evaluations and performance.

The Province has Policy and Procedure manuals for the dispatch centres. In addition, memo books address local issues and provide additional information for dispatchers.

Manuals are available on site. Knowledge of ARIS and geography is by way of experience. New entries are now required to pass a College program which is certified by the Director MOH.

OTHER OBSERVATIONS:

- Heavy reliance on keyboarding skills. ARIS is highly dependent on speed typing for efficient operation.
- ARIS requires multiple key strokes, and the operator must learn many short-forms which seem to be an acquired talent.
- noted disparity between PENTA and ARIS time bases. ARIS time stamps calls, but dispatcher seems to use PENTA time to key in amended times, and relay times given over the air. This is the standard procedure.
- dispatchers moved into the CACC from other centres have some difficulty with "local knowledge, hindering the selection of an appropriate base, and increasing the time required to get an ambulance on its way. The one example noted was the Hamilton desk unable to quickly determine the general area of an address. ARIS further complicates this through the utilization of short forms for localities. If you don't know the correct abbreviation for Townsend, ARIS will not verify the address, offer a cross street, or supply a UTC geocode.
- transfers between hospitals occur regularly; for example Brantford to London. This places a great strain on the availability of resources, and relies heavily on the ability of the dispatcher to juggle the remaining ambulances.
- ARIS, although it has many option screens, lacks the ability to describe events chronologically. ARIS is an excellent tool, which can only be criticized if one compares it with modern day CAD systems.
- There is no PA function available to page ambulance personnel while at 'base'
- The CACC is not able to make any decisions on transport mode selection for code 1 transfers. This is done by the patient, hospital, or institution. Scheduling transfers is a dynamic process, a moving target with requests arriving by fax and phone. It is further complicated by delays, appointment times, distances, and the performance of the individual crews.
- There is a substantial difference in the way 'Tier response' is handled from one jurisdiction to the next, with individual fire departments having differing rules. The CACC tries to keep up with these changes.

9. APPENDIX D - 911 CALLTAKING

There are at least 3 versions of 911 still operating:

Basic 911 -gives the callers location only - -old database relying on subscriber's description of location

Enhanced 911-provides caller's name and address - -old database relying on subscriber's description of location

PERS -Public Emergency Reporting System

- -Database address information now linked to valid municipal
- mapping, provided by the municipality.
- -provides caller's name, address, and a geo-code (for mapping)
- -provides call steering to the correct jurisdiction
- -insists on unique street addresses within the municipality

The Bell 911 system utilizes a database, which in the first two cases has proven to be unreliable. PERS is intended to improve the database integrity, by disallowing invalid or duplicate addresses. Database error correction will always be an ongoing process and the database will never be perfect. This is precisely why 911 dispatchers ask the client for address verification over the phone.

The 911 system is a separate telephone and database system. Emergency calls can be routed to a PSAP (Public Safety Answering Point) or to a private service such as Bell Neutral Answering Service (BNAS).

At the PSAP, an automatic call distributor (ACD) routes incoming calls to the next available call taker. Each call taker can log on or off the system so that a call is never sent to a vacant answering position. The ACD keeps records of 911 calls so that statistics can be gathered. Each call contains electronic data called ANI (automatic number information) and ALI (automatic location information), which is fed to a terminal, or to a CAD port as in the case of police.. When a call is transferred, the ANI/ALI information is transferred to the appropriate agency as well. Reverse transfers back to the PSAP do not carry the ANI ALI information.

911 provides additional communication centre features such as:

- line seize (The line will not release)
- automatic ringback
- call trace (a manual procedure)

Recently, the PERS implementation has made it possible for the 911 system to route calls to any centre. This includes off premises remote answering of 911 calls. For example, an independent company could answer the call and distribute it to one of police fire and ambulance in any jurisdiction. This is called Neutral Answering. The neutral answering service could in fact act as the answering centre for multiple jurisdictions. One such centre is BNAS, the Bell Neutral Answering Centre located in Sudbury, Ontario. Ambulance for Brant and Haldimand Norfolk already employ this service. Such a service does not dispatch calls, acting only to answer the line, and direct the call to the appropriate jurisdiction and agency.

De-regulation in the telephone industry has brought another problem into focus for 911. Local service providers can now offer local service much like the long distance marketers (Sprint, London telecom etc.). The net result is that a subscriber to local provider, although he can dial 911, may not have his ANI/ALI displayed at the PSAP. Similar anomalies already occur with Centrex systems and large factory/ hospital telephone systems.

Cellular, PCS, and other wireless communications technologies that access the PSTN (public switched telephone network) present a major technical challenge for 911. Presently no ALI information is available from these systems. Some work has been done providing map overlays of cell sites for CAD systems which very roughly approximates the geographic location of the cell caller.

POSSIBLE SERVICE IMPROVEMENTS FOR THE PUBLIC

Work towards one-stop customer service, call transfers (hand-offs) should be transparent to the caller.

The caller should only have to give information to one person. This must be the most frustrating and annoying part of placing a 911 call.

The public needs to have complete confidence in the 911 system including ANI/ALI for the new wireless services. Even though databases are never completely accurate, we must diligent with new additions, updates and corrections. All participants involved with 911 database maintenance must work together to make this a smooth and speedy process.

The Public must be made aware of the operation of the 911 system, including its' deficiencies. Already the wireless services (Cell and PCS) have a serious and seemingly insurmountable ALI problem. Deregulation of local service providers poses another threat to 911. ANI and ALI information may not appear at call centres for clients of these local service providers.

SERVICE IMPROVEMENTS FOR THE CALL CENTRE

- Work towards single input information screen. i.e. information inputted by a call-taker is immediately available to any other position for a smooth hand-off.
- Explore potential for off premises work stations for call takers.
- Elimination of low priority patient transfers in the ambulance service.
- Elimination of low priority police calls such as residential alarms, evidence pick-ups
- Elimination of Administrative (internal and external) telephone inquiries.
- Elimination of external non-emergency public inquiries.
- Improve (lower) the noise level in call centres.

10. APPENDIX E - A VISION OF FUTURE 911 OPERATIONS

"One Stop Emergency"

When a citizen dials 911, the expectation is that help is immediate. Usually, the caller is unaware that he will likely reach an intermediate operator who will re-direct the call to an appropriate agency. Currently our police is the PSAP reducing this possibility by one third, taking police related calls directly. The caller is able to relate his situation to the first person with whom he connected. With Ambulance and Fire, in both the case of Neutral Answering and Police as the PSAP, a second person is always in the line-up. This is usually the call-taker at the respective comm centre.

Ideally, a PSAP (not private or BNAS, or NA) call-taker should be able to answer an incoming call, and take all the details, regardless of which of the three services is required.

Here is how that could work: Call-takers at all dispatch centres should be able to answer a 911 call, and enter the details into a common (CAD) database. The call taker should be able to stay on the line with the caller regardless of what type of emergency, and continue to enter the information in CAD. The call taker has the option of transferring the screen data to an appropriate dispatcher. This process can be automated with a routing decision made on the basis of event type, ALI or typed in location, and even narrative descriptions. The dispatcher becomes aware of the call through visual or aural prompts, and can electronically accept responsibility for dispatching the call.

The above scenario heads well away from the present structure, and towards a single answering point. Technology can merge the input, database systems and dispatch systems (Windows NT LAN or WAN). Technology can steer the information to an existing dispatcher. Everything at all centres can be left intact, with technology bringing them all together.

Taking the example of the Hamilton CACC, the operations, the technology, and the personnel of three different Regions have been merged into one centre. The centre is up and working. Technology has resolved the communications, database, and dispatch record problems. The personnel however are greatly affected in the short term. The evidence points to a differences in knowledge base among staff who are now required to operate in a new jurisdiction. The personal knowledge of the dispatcher proves to be a major factor in the effectiveness of the amalgamation.

The next generation of call-takers and dispatchers will require increased levels of training and will grow into the amalgamated centre more easily. Technology can step in again to make information more readily available. CAD mapping slaved to inputted (or ALI) location information can make the difference.

Advanced systems

-Computer based, remote client, server systems

ARIS and CAD already meet this criteria, both being a client/server system. Advanced systems may have several servers interconnected, accessible to all clients, yet physically separated. The idea of a single server centrally located will vanish, and the demarcation between server and computer will blur. Digital signatures in smart cards will authenticate the user. Public domain encryption keys will certify the information.

-LAN and WAN dedicated network CAD connections

A server is now as close as the nearest fibre connection. Local fibre networks are already offering high-speed end to end dedicated “intranet WAN’s” in many cities including Hamilton. This service brings large bandwidth services to every doorstep including private homes with the same ease. Non shared guaranteed bandwidth, and connection to the outside world is already available from these new providers.

-LAN and WAN 911 call distribution systems

Bell is already able to switch and direct 911 calls to the appropriate call centre based on the originating telephone number, and a call centre association designated in a database. An Automatic Call distributor directs 911 calls to logged in telephones. Using the LAN / WAN these telephones can be at any dispatch location including off premises operators.

-Multiple read only database connections

The system of servers can be interconnected to other information databases which are maintained separately. An example is CPIC, already integrated into Police CAD. Hospital status monitors, mapping, map overlays, Municipal Work Zones, Hazardous site index, and other information key to dispatching can be made available at the click of an Icon. Certain databases are ideally suited for local storage on a fixed or removable (zip/CD ROM) drives, thereby reducing unnecessary information transfer over the data communications channels.

-Intelligent prompts suggesting the availability of relevant information

The CAD program would look for key words in the text of the call-taker input, and dynamically make suggestions for look-ups of methods, procedures, help lines, medical terms, suggested treatments, etc. For example, if the call taker typed in “*woman 43yrs in labour...*” the system would flag a suggestion for delivery of a baby in the home with specific help instructions for both dispatcher and the calling party. Information such *as “smoke conditions unusual odors, possible chemical fire*” can bring up the hazardous chemicals library. This does not obligate the call-taker to use the info, or to have it displayed, just an Icon would appear indicating that help is available on a keyword.

Several such icons could appear e.g. a red cross for medical help, a police badge for police incidents. Much of this type of help is already in flip indexes and manuals but getting to it is a major chore.

Integrated layered mapping linked to call type and location

The incoming 911 geocode data immediately provides an icon on an electronic map, centred on the location address. The call type, chosen by the call-taker automatically provides map layers depicting fire hydrant locations, and the nearest Fire Hall data. Additional map layers might be suggested on a tool bar.

Hot name / Hot location links

The incoming call would be automatically assessed for prior histories under police/fire/ambulance and present a unique descriptive Icon to the call-taker. A mouse click on the icon could bring up a sampler line of text from the previous 911 experience, and a second click the complete history.

Links to Hot calltypes

Call types selected by the call-taker can automatically provide mandatory action lists. For example "child custody" dispute will prompt the operator with a list of mandatory responsibilities, call outs, notifications, including a list of contact persons with phone numbers

Remote call-taking capability

Qualified operators from home or office locations, are able to log into the automated dispatch system with a PC, dispatch software, and a fibre modem.

You can log in on your regular shift, or during peak times, and work provided you have not exceed your weekly or daily hours. The system will present you with the normal CAD screen, including an on screen 911 telephone connection. The call distributor will include you in the pool of available operators and commence sending 911 calls to you. You will input the calls on CAD, and when the minimum information is gathered, the System will send it to an appropriate dispatcher. In this scenario, dispatchers are still in a comm centre.

Integrated 911 telephone

The 911 telephone circuit will be integrated into the CAD screen, and the call will be delivered as part of the high speed data connection with the server.

THE DISPATCH POSITION OF THE FUTURE

Unlike the call-taker scenario, the dispatcher will likely continue to be physically located in a comm centre. The dispatchers have a close link to the service agency, and also with each other, generally requiring some direct voice interface with the adjoining territory. In addition, the dispatcher needs to know the "big picture" of what is happening in the Region so that educated decisions can be made with respect to the distribution of resources.

A CAD screen, capable of tri service dispatch functions will be available at each workstation. Incoming calls from call-takers will arrive depending on how the CAD station is logged in. A tri-service capable dispatcher will log in as tri-service. A Fire only capable dispatcher will log in as a fire dispatcher, etc. Dispatcher log in codes will prevent unauthorized or incorrect log-ins. The log-in will determine the level of access the operator has to sensitive databases.

Although tri-service capable dispatchers may log on, a primary service is assigned for that station, i.e. police primary, fire secondary. It is unlikely that in a busy metropolitan area, any one dispatcher could manage ambulance and police dispatch duties simultaneously.

As with police at present, most dispatches will occur via a mobile data terminal, sending vital call details such as name and address, event type and priority. Vehicles will automatically start the run on receipt of the call, with more call details arriving both via voice and MDT.

SECTION 10

SECTION 11

SECTION 12

SECTION 13

AFFECTS WARD 3

CITY OF HAMILTON

13.1

PUBLIC WORKS DEPARTMENT
Operations & Maintenance

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Peter M. Crockett, P. Eng. General Manager
Date:	March 14, 2003	**Prepared by:**	Chris van Berkel Extension 5663

SUBJECT: Intersection of Maplewood Avenue and Prospect Street South - Request for All-way Stop Control - (PW03017) - (Ward 3)

RECOMMENDATION:

That the present northbound and southbound stop control at the intersection of Maplewood Avenue and Prospect Street South be retained.

Peter M. Crockett, P.Eng.
General Manager
Public Works

EXECUTIVE SUMMARY:

Staff has received a petition through Councillor Bernie Morelli's office, requesting that all-way stop control be implemented at the intersection of Maplewood Avenue and Prospect Street South. The subject intersection is a four-leg intersection and presently, northbound and southbound traffic on Prospect Street South is required to stop for eastbound and westbound traffic on Maplewood Avenue. Records indicate that this intersection has experienced an average of 1.0 reported collision per year over the past five years. Visibility at this intersection is very good since there are existing HSR bus stops on the southwest and northeast corners of the intersection, which are signed and protected with "No Stopping" regulations.

In light of the favourable collision record and since none of the warrants for all-way stop control are met at this intersection, staff do not support the request for all-way stop control at Maplewood and Prospect.

BACKGROUND:

The information/recommendations contained within this report primarily affect Ward 3.

Staff has received a petition from Councillor Bernie Morelli requesting that all-way stop control be implemented at the intersection of Maplewood Avenue and Prospect Street South. The subject intersection is a four-leg intersection and presently, northbound and southbound traffic on Prospect Street South is required to stop for eastbound and westbound traffic on Maplewood Avenue. Records indicate that this intersection has experienced an average of 1.0 reported collision per year over the past five years. A total of five correctable collisions in a three-year period is the threshold to meet the installation criteria. Visibility at this intersection is very good since there are existing HSR bus stops on the southwest and northeast corners of the intersection, which are signed with "No Stopping" regulations.

Thus, the intersection has a favourable collision record and none of the warrants for all-way stop control are met at this intersection.

Recent traffic volume studies conducted during the AM and PM peak periods revealed that 85% of the traffic entering this intersection does so via Maplewood and only 15% enters from Prospect. It would not be practical to stop the heavier volume of traffic using Maplewood for the relatively light volumes on Prospect, and may result in a high rate of stop sign violations.

In 1998, as a result of a previous request from Councillor Morelli, stop signs were installed on Cumberland at several locations between Gage and Wentworth (at Burris, Prospect, Holton and Norway) with the acknowledgement that staff would not support additional stop signs on Maplewood/Delaware. Staff advised that the placement of several stop signs on Cumberland would likely divert some through traffic to Maplewood. However, since Maplewood/Delaware is a bus route and a four-lane roadway, this road would be more suitable for carrying traffic through the neighbourhood than Cumberland which is only 3 lanes wide with homes in closer proximity to the roadway. Therefore, Maplewood and Delaware should be maintained as the through route to maintain continuity.

For the above noted reasons, staff does not support the request for all-way stop control at Maplewood and Prospect.

ANALYSIS OF ALTERNATIVES:

All-way stop control is intended to assist in assigning right-of-way to drivers and pedestrians, or to reduce the collision potential at intersections exhibiting a high frequency of angle type collisions. The installation of unwarranted stop control increases driver disrespect of stop signs, and ultimately will increase the potential for collisions at all stop-controlled intersection in the City. Unwarranted all-way stop control locations will also increase the demand on the Hamilton Police Services for enforcement of "fail to stop" infractions.

The following options are available to the residents to address concerns regarding motorists' poor driving habits:

- Participate in the Neighbourhood Speed Watch Program
- Report aggressive drivers to the Hamilton Police Services Road Rage Hotline
- Request enforcement from the Hamilton Police Services

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

POLICIES AFFECTING PROPOSAL:

The warrants for all-way stop control as approved by the City Council are not met at this intersection.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

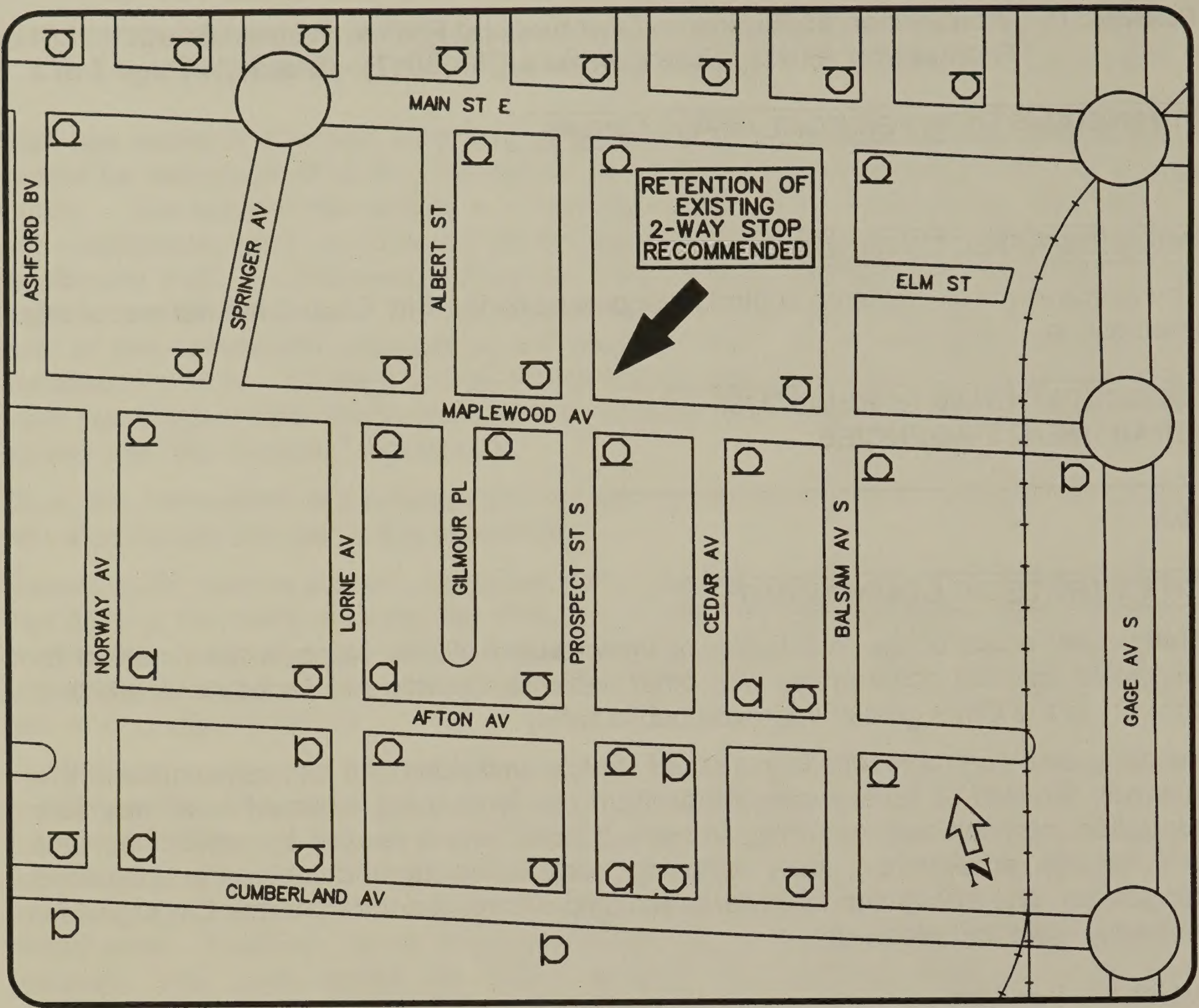
N/A

CITY STRATEGIC COMMITMENT:

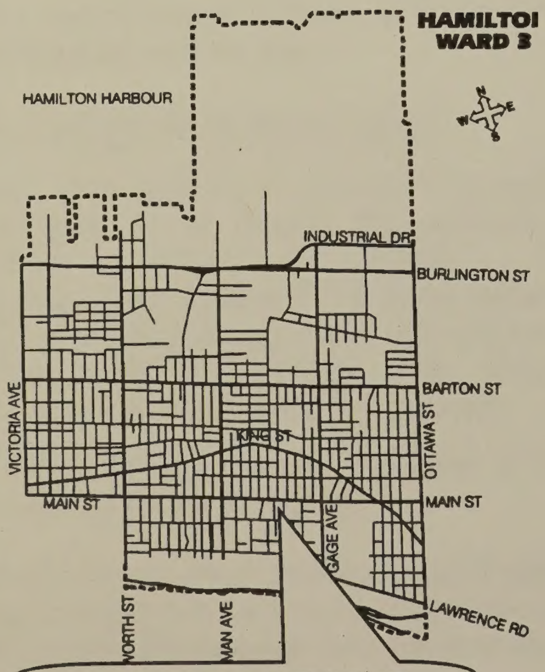
The overall effect of the installation of unwarranted all-way stops is the potential for increased collision occurrences with other vehicles, cyclists and pedestrians, which is contrary to the City's goal of improved public safety.

Installing stop control results in increased vehicle emissions and fuel consumption. It is common for staff to receive complaints from residents living adjacent to all-way stop controlled intersections, regarding increased noise levels caused by screeching tires and vehicle acceleration, poor stopping compliance by motorists and increased congestion. The installation of unwarranted stop control is contrary to the City's goal for a healthy, safe and green city.

Attached: Key Map


MAIN ST E
ASHFORD BV
SPRINGER AV
ALBERT ST
RETENTION OF EXISTING 2-WAY STOP RECOMMENDED
ELM ST
MAPLEWOOD AV
NORWAY AV
LORNE AV
GILMOUR PL
PROSPECT ST S
CEDAR AV
BALSAM AV S
GAGE AV S
AFTON AV
CUMBERLAND AV
N

KEY MAP


HAMILTOI WARD 3
HAMILTON HARBOUR
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S
INDUSTRIAL DR
BURLINGTON ST
BARTON ST
VICTORIA AVE
KING ST
OTTAWA ST
MAIN ST
MAIN ST
GAGE AVE
LAWRENCE RD
ORTH ST
MAN AVE

MAPLEWOOD AVENUE AT
PROSPECT STREET SOUTH

LOCATION PLAN

ALL-WAY STOP CONTROL
REQUEST:
MAPLEWOOD AVENUE AT
PROSPECT STREET SOUTH
CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT

LEGEND

➡ SUBJECT INTERSECTION

RECOMMENDED		EXISTING	
●	TRAFFIC SIGNAL	○	TRAFFIC SIGNAL
●	STOP SIGN	ᑯ	STOP SIGN
▼	YIELD SIGN	▽	YIELD SIGN
◆	ROUNDABOUT	◇	ROUNDABOUT

SCALE	DATE
NOT TO SCALE	2003-03-14

REFERENCE FILE NO: **PW03017**

AFFECTS WARD 5

CITY OF HAMILTON

13.2

PUBLIC WORKS DEPARTMENT
Red Hill Valley Project

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Peter M. Crockett, P.Eng. General Manager
Date:	March 17, 2003	**Prepared by:**	Gary Moore Extension 2382

SUBJECT: City of Hamilton Expropriation of Red Hill Creek Expressway Parts 2 and 3 on Plan 62R-15125 (PW03019) - (Ward 5)

RECOMMENDATION:

(a) That approval be given to the City of Hamilton for the expropriation of the lands described as Parts 2 and 3 on Plan 62R-15125, being Part of Lot 28, Concession 1, in the Geographic Township of Saltfleet, now in the City of Hamilton, and authorize entry;

(b) That financing be provided from the Red Hill Creek Expressway Land Acquisition budget account No. 4060087001.

(c) That staff prepare a plan of Expropriation for the registration in the Land Registry Office;

(d) That the Mayor and the City Clerk be authorized and directed to sign the Certificate of Approval affixed to the Plan of Expropriation and that the City Clerk be authorized and directed to affix the Corporate Seal thereto;

(e) That the City Clerk be authorized and directed to sign and the City Solicitor and Corporate Counsel be authorized and directed to serve any Notices required by the Expropriations Act and such Notices of compensation and possession and any other action as may be required to obtain and authorize entry and possession of the expropriated lands at the earliest possible date and to settle compensation before the Land Compensation Board if necessary, for the City of Hamilton;

(f) That the Manager of Real Estate, be authorized and directed to obtain an appraisal of the land expropriated, to form the basis of compensation to be offered by the City of Hamilton and that the Manager of Real Estate, be authorized and directed to negotiate compensation with the owners of the land being expropriated on the basis of the appraised report;

(g) That the By-law attached to this report be introduced to give effect to the foregoing and be enacted by Council;

(h) That the General Manager of the Public Works Department be authorized and directed to register the Expropriation Plan.

Peter M. Crockett, P.Eng.
General Manager
Public Works

EXECUTIVE SUMMARY:

Due to various outstanding lawsuits and litigations the owner has not been able to provide clear title and close the agreement to sell the subject lands, reached between the Thermo Tech Waste Systems Inc. and the former Region of Hamilton-Wentworth in 2000. As such, the owner has been unable to close the negotiated deal. Council approved the Notice of Expropriation at its meeting of November 13, 2002. Pursuant to Report 02-037 (TOE02190), the required notices were sent. No Hearing of Necessity was requested. Although some discussion with the owner's representatives were held, a mutual agreement on closure could not be reached. It is recommended that the expropriation process continue in order to acquire this land.

BACKGROUND:

Regional Council on April 4, 2000 approved Item 16 of TSC Report 04-00 involving in part the purchase by the Region of the subject Parts 2 and 3 on Plan 62R-15125. The subject lands are required for the construction of a portion of the Red Hill Creek Expressway and the associated Nash Road/Burlington Street realignment over private property.

An Agreement to purchase the necessary lands approved by Regional Council as Item 16 of TSC Report 04-00 included a reciprocal trade of adjacent municipally owned lands. The owner failed to close the agreement and is in breech of contract. However there are substantial outstanding claims/liens and litigation pending against the lands and property owner and it is unlikely we would be able to obtain clear title under a purchase agreement scenario.

ANALYSIS OF ALTERNATIVES:

The choices are to wait for the title to clear and the owner close the original agreement or to expropriate the property or not proceed with the acqusition. Should the Expropriation of this property not proceed the realignment of the Nash and Brampton and the Expressway would not proceed on schedule. The current alignment of the Expressway and the Nash/Brampton reconnection would be in jeopardy should this property not be acquired.

It is recommended that expropriation actions commence immediately to acquire the lands and ensure the construction continues on schedule.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in the Red Hill Creek Expressway Land Acquisition Budget item No. 4060087001 to make Official Offers of Compensation for the subject property and to fund an independent real estate appraisal of the subject lands.

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Real Estate, Fleet & Facilities Division
Legal Services & Corporate Counsel, Property & Development Group

CITY STRATEGIC COMMITMENT:

The Expressway project has been an integral component of Hamilton's growth strategy for over four decades. Since 1996, the former Region has investigated changes to the approved project that address the components of sustainable development.

Attached: Key Map & By-Law

Authority: Item , Name of Committee
Report
CM: Date

Bill No.

CITY OF HAMILTON

BY-LAW NO. __________

To Expropriate Lands in the City of Hamilton, Being Part of Lot 28, Concession 1, in the Geographic Township of Saltfleet, Designated as Parts 2 & 3 on Plan 62R-15125, Being Part of PIN 17566-0002(LT), Known Municipally as 2380 Brampton Street, City of Hamilton, for Road Widening and Reconstruction Purposes

WHEREAS Section 6 of The Municipal Act, 2001, S.O. 2001, c., 25, as amended, empowers a municipality to expropriate land in accordance with The Expropriations Act;

AND WHEREAS the City of Hamilton, as expropriating authority, made application to the Council of the City of Hamilton on the 13th day of November, 2002 for approval to expropriate lands described as Part of Lot 28, Concession 1, in the geographic Township of Saltfleet, designated as Parts 2 and 3 on Plan 62R-15125, being Part of PIN 17566-0002(LT), known municipally as 2380 Brampton Street, City of Hamilton, being the land described in Schedule “A” attached hereto (and forming part of this by-law) in accordance with The Expropriations Act, R.S.O. 1990, Chapter E.26;

AND WHEREAS the City of Hamilton as expropriating authority did serve a Notice of the said Application for Approval to Expropriate upon each registered owner of the said lands and did publish a Notice of the Application for Approval to Expropriate in the Hamilton Spectator; a newspaper having general circulation in the City of Hamilton, in accordance with The Expropriations Act;

AND WHEREAS no request for an Inquiry Hearing was made by any of the owners of the lands described in Schedule "A" attached hereto and accordingly no Inquiry Hearing has been held;

AND WHEREAS the Council of the City of Hamilton, as approving authority deems it expedient to grant the Application to Expropriate the said lands.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That, as approving authority under The Expropriations Act, the said Application for Approval to Expropriate the lands more particularly described in Schedule "A" attached hereto (and forming part of this By-law), made by the City of Hamilton as expropriating authority, be and the same is hereby granted and the said lands being Part of Lot 28, Concession 1, in the geographic Township of Saltfleet, designated as Parts 2 and 3 on Plan 62R-15125, City of Hamilton, being Part of PIN 17566-0002(LT), known municipally as 2380 Brampton Street, City of Hamilton are hereby expropriated for road widening and reconstruction purposes.

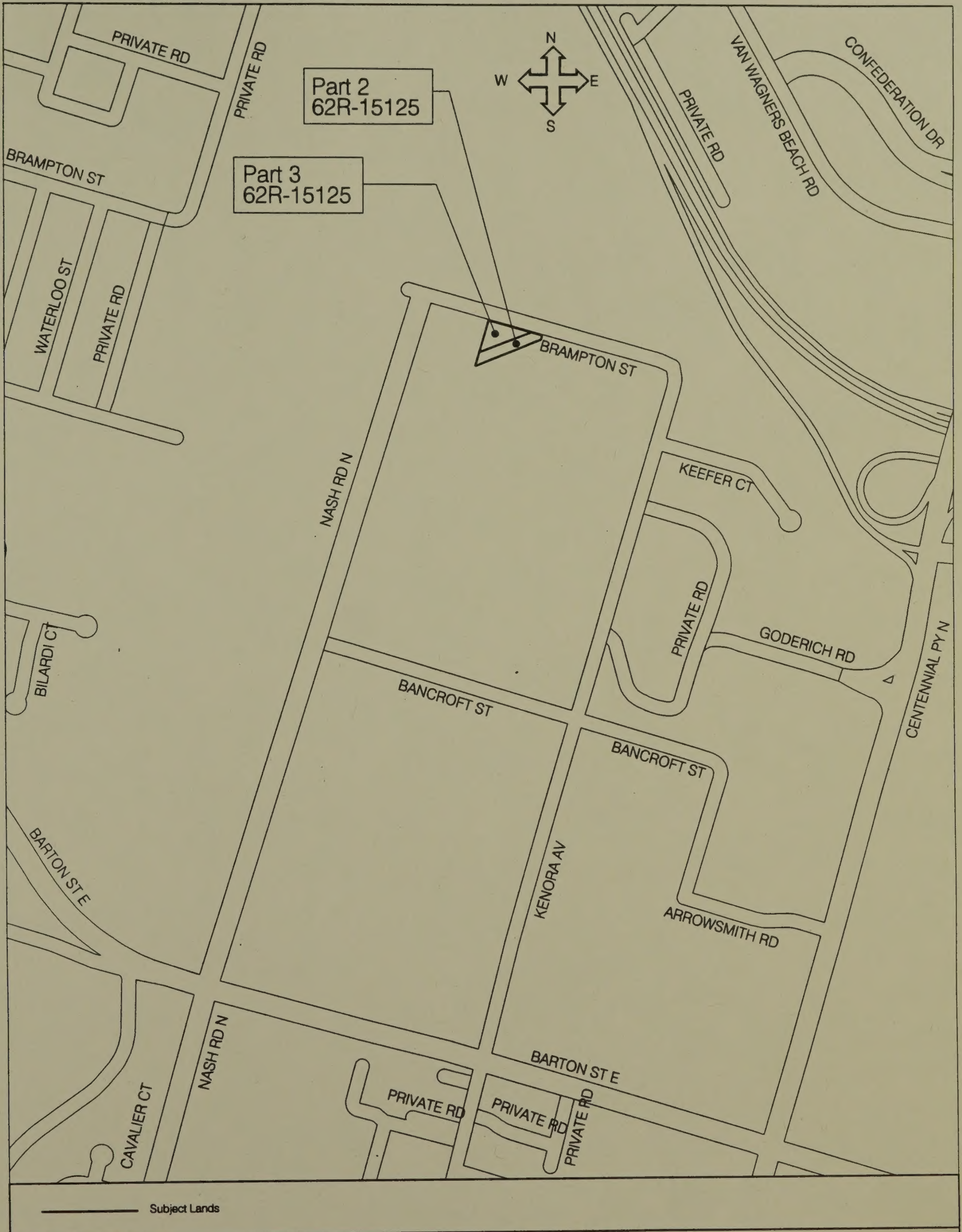
2. That the Mayor, Clerk and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to implement and give effect to the provisions of this By-law and this authority shall include the taking of all necessary proceedings to enter and to take possession of the lands hereby expropriated.

PASSED and ENACTED this 9th day of April, 2003.

MAYOR	CLERK

SCHEDULE A TO BY-LAW NO. __________

ALL AND SINGULAR those lands and premises located in the City of Hamilton and the Province of Ontario being composed of Part of Lot 28, Concession 1, in the geographic Township of Saltfleet, in the City of Hamilton, designated as Parts 2 and 3 on Plan 62R-15125, being Part of PIN 17566-0002(LT), known municipally as 2380 Brampton Street, City of Hamilton.


PRIVATE RD
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Part 2
62R-15125
Part 3
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GODERICH RD
CENTENNIAL PY N
BILARDI CT
BANCROFT ST
BANCROFT ST
KENORA AV
ARROWSMITH RD
BARTON ST E
NASH RD N
CAVALIER CT
BARTON ST E
PRIVATE RD
PRIVATE RD
PRIVATE RD
Subject Lands

City of Hamilton

Ward 5
Brampton Street

Redhill Creek Expressway Expropriation

CITY OF
HAMILTON
Public Works Department
General Manager, Peter M. Crockett, P. Eng.

DATE: March 4, 2003

N.T.S.

SECTION 14

CITY WIDE IMPLICATIONS

CITY OF HAMILTON

14.1

EMERGENCY SERVICES DEPARTMENT

PLANNING AND DEVELOPMENT DEPARTMENT
Building and Licensing Division

ECONOMIC DEVELOPMENT DEPARTMENT

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Glen Peace General Manager Emergency Services Lee Ann Coveyduck General Manager Planning and Development Neil Everson Executive Director Economic Development
Date:	March 20, 2003	**Prepared by:**	Neil Everson 546-2359 Glen Peace 546-3341 Lee Ann Coveyduck 546-4339

SUBJECT: Vacant / Abandoned Buildings (City Wide) (HES03003, ECO03007, PD03075)

RECOMMENDATION

(a) That vacant unsecured buildings be secured through legislative authority of the proposed Property Standards By-law.

(b) That buildings deemed unsafe under the Building Code Act and thereby requiring immediate securing beyond the scope of the proposed By-law, be secured under the authority provided in the Building Code Act.

(c) That the cost to secure vacant buildings under the authority of the proposed Property Standards By-law and/or the Building Code Act, be added to the taxes of the property owner.

(d) That monitoring of buildings previously secured under the proposed Property Standards By-law and/or Building Code Act be conducted by HES-Fire.

(e) That the protocol as outlined in Appendix "C" to Report HES03003, ECO03007, PD03075 be adopted and established for municipal agencies dealing with vacant unsecured buildings (Fire, Police, Building Division and Property Standards Division).

(f) That the Executive Director of the Economic Development Department be authorized and directed to reassign the duties of a Business Development Consultant position in order to meet the Council mandated directive to prioritise abandoned/vacant buildings in the city and formulate proposals and strategies to bring these properties under the control and influence of the City of Hamilton.

(g) That Item f) "Strategy for Prioritizing Abandoned Industrial and Commercial Warehouse Structures" on the Outstanding Business List of the Committee of the Whole Agenda now be removed.

Neil Everson
Executive Director
Economic Development Department

LeeAnn Coveyduck
Lee Ann Coveyduck
General Manager
Planning and Development Department

Glen Peace
Glen Peace
General Manager
Emergency Services Department

EXECUTIVE SUMMARY:

Recommendations a) through e) are considered short term goals implemented to deal with the current problems arising from unsecured vacant buildings. Recommendation f) is considered a long term goal/solution that will have a positive impact on reducing the number of abandoned/vacant buildings in the city. If effective, this initiative will reduce the resources presently expended on securing vacant buildings identified in Recommendation a).

Vacant buildings are often found in varying stages of structural deterioration (i.e. damaged or missing stairs, no lighting, openings in floors) posing serious safety risks to trespassers and responding emergency personnel alike. Safety risks aside, vacant buildings negatively impact the quality of life for adjacent residential neighbours while reducing the commercial viability for neighbouring businesses.

The enforcement legislation currently used to address unsecured vacant buildings is the Ontario Fire Code. The Code places responsibility on the building owner to secure the building or face prosecution with a penalty of a fine. Buildings damaged as a result of fire are also secured under the current Property Standards By-law. In extreme situations, where a building is found vacant, unsecured, and deemed to be in an unsafe condition, it can be secured under the Building Code Act.

Beyond the enforcement aspect of securing vacant buildings, the issue has become a focal point in addressing the brownfield issue as a long term goal to eliminate/reduce the number of vacant buildings in the city. However, the basis of any thorough review of vacant buildings would require a detailed analysis on the number of buildings that fall in the "vacant/abandoned building" category. Although, many of these properties have been identified, the inventory is by no means comprehensive. City Council has directed staff to identify and prioritise the abandoned/vacant buildings. Staff was additionally authorized to research, analyse and recommend options that could be employed to take these properties under the control of the municipality and then improve, demolish, remediate and/or eventually divest them to the private sector.

BACKGROUND:

Activity at two vacant unsecured buildings in 2002 - specifically 42 James Street North and 11 Rebecca Street, identified a need to establish a defined communication/action protocol for the 3 primary agencies (Fire, Police & Building) that normally deal with issues surrounding vacant unsecured buildings.

A common issue confronting emergency responders after a fire situation (Fire) or a trespassing/vandalism call (Police), was the concern to ensure buildings' were left in a secure state before the noted agencies left the scene. Determining ownership and contacting a responsible party prove difficult particularly after-hours or on weekends. In many situations, where a responsible party could not be contacted and the building is not deemed to be in an "unsafe" condition, the only recourse is to leave the building unsecured and forward the matter to HES-Fire, Fire Prevention Division for follow-up.

Consequently, Recommendation e) was developed to address and clarify the roles the of the primary agencies in notification and action as applicable to secure vacant buildings.

While reviewing the present procedures of the various agencies specifically HES-Fire, Fire Prevention Division, Building Division and Property Standards Division, further direction was given to review existing processes and determine their efficiency, effectiveness and make recommendations where appropriate to enhance the process.

In conjunction with addressing the current issue of unsecured vacant buildings, on February 13, 2002, a motion was brought forth at City Council directing staff to develop a strategy for prioritising abandoned industrial and commercial warehouse structures in Hamilton based on those causing the greatest potential risk to the community. The motion directed *"the City Manager in consultation with the Department Heads of Planning, Finance, Economic Development and Legal, to develop an implementation plan which ensures that the appropriate staff resources are in place to operationalize this Council directive."*

At the direction of the Acting City Manager, the Economic Development Department conducted a brief analysis of the required resources and determined that there were insufficient resources within the department to deliver the Council directive. The preliminary analysis indicated that one full-time person would be required for a minimum 8-month period to examine all records from fire/emergency services, police, and property standards departments; inventory the sites; identify those with possible contamination/environmental problems; and prioritise the sites. Finally, an implementation plan would be prepared in consultation with a city task force made up of senior staff representatives from Finance, Legal Services, Planning & Development, Real Estate, Fire/Emergency Services, Police, and including the Economic Development Department's Brownfields Co-ordinator.

Upon review of this analysis at Corporate Management Team, the Economic Development Department was directed to submit this recommendation as a one-time budget item, which it did so at the July 10th Committee of Whole and City Council. At that meeting, only four one-time items were approved by City Council and the aforementioned *"Prioritisation of Abandoned Structures (FCS02059b/CS02074)"* was not one of them. Subsequently at the August 14th, 2002 City Council meeting during the agenda item of *"General Information"*, city staff was again directed to execute the original Council resolution.

The 2002 Economic Development budget, approved by City Council, included the provision for one FTE (a Business Development Consultant position) dedicated specifically to the Brownfields ERASE program. This position is responsible for the preparation of brownfield development agreements and the anticipated increase in workload resulting from the Council direction at the October 15th, 2002 Committee of the Whole meeting to take the ERASE program city-wide. This position has since been filled and the successful applicant will commence service with the Economic Development Department no later than April of this year.

Consequently, there are three staffing options available to achieve the City Council directive:

1) as originally recommended in the one-time budget item report, hire under contract a qualified individual for an 8-month period at an estimated cost of $60,000;

2) second a city staff member with related environmental experience from another department (Planning & Development or TOE); or,

3) dedicate 50% of the already Council approved and filled Business Development Consultant position in the Economic Development Department for an 8-month period to the Prioritisation of Abandoned Structures project.

Option 1 involves the addition of $60,000 to the budget that is currently unfunded and has already been denied by City Council. Option 2 could create staffing difficulties in other departments and at this point in time, it is undetermined that a staff person with the required skills could be made available by another department. Option 3 provides the necessary staff resources to complete the project without incurring additional costs that are unfunded in 2003. Therefore, Option 3 is recommended. The city's Brownfields Co-ordinator would still have to assume the role as project manager but this could be accommodated within this individual's current duties if certain of his responsibilities were reassigned within the Economic Development Department.

In regards to the original Council resolution, the direction to staff to prioritise the abandoned/vacant structures in Hamilton is a relatively straight-forward process as described above and can be achieved with the allocation of appropriate resources. However, the added directive to "*provide City Council proposals and strategies to bring contaminated properties under the control and influence of the City of Hamilton so that we may proactively initiate remediation of these properties and the neighbourhoods they currently blight..*" could have significant ramifications on the City of Hamilton's financial position and liability exposure, particularly with properties that may be causing off-site migration of contaminants.

There are essentially three courses of action to respond to this additional directive. The first, as suggested in the original Council resolution, is some form of a **Municipal Control/Acquisition Program**. This would involve the City Of Hamilton taking title to these properties by tax sale or direct purchase and then being responsible for maintenance of the building/property, possible demolition, environmental remediation, and eventually disposition (sale) of the property. Obviously, there are considerable financial implications involved in this option including; elimination of tax arrears, demolition costs, infrastructure upgrades, remediation costs, legal costs & fees, etc.

In the City of Hamilton, there are currently 22 properties that have been registered for tax arrears (some as early as 1995), and have taxes owing that exceed their current market value. Presumably these properties have some contamination problems, as it is apparent that the owners have abandoned them, or this would be an obvious conclusion due to the nature of the past operations. The current tax liability on these totals $12.6 million (In one case there is a $3.6 million MOE charge for environmental clean up), and their market value is currently at only $4 million.

The probability of the municipality having a successful bid on these properties through the tax sale process is extremely unlikely. However, that is the preferred method of both proving their value (or lack thereof), and of writing-off the taxes. The new Brownfield legislation provides the municipality with an opportunity to test the market, and to positively determine the level of any contamination, without the hazards associated with ownership.

Section 441 provides for an alternative that does not put the municipality in a place of ownership and therefore responsibility for any environmental problem. This section permits taxes that are deemed uncollectable to be stricken from the roll. However, use of this provision to reduce the tax liability of the property also removes a valuable tool that the municipality has in terms of levering redevelopment.

The second option is a **Targeted Municipal Property Acquisition and Investment Program (MPAIP)** as outlined in Section 8.5 of the Council approved ERASE Plan. A much less known component of the ERASE program was the creation of the Brownfield Reserve Fund. This reserve fund is to be funded from the City withholding 20% of the Tax Incremental Financing (TIF) Redevelopment Grants provided to brownfields developers. The fund is to be used by the City to acquire brownfield properties and/or cleanup and redevelop brownfield properties it already owns, and/or participate in public/private partnerships to cleanup and redevelop publicly or privately held brownfield sites.

Based on brownfield redevelopment projects taking advantage of the ERASE Redevelopment Grant being completed and reassessed for tax purposes, it will still be a number of years before the Brownfield Reserve Fund amasses sufficient funds using 20% of the TIF Redevelopment Grants retained by the City. In order to expedite the Targeted Municipal Property Acquisition and Investment Program, this fund could be supplemented by other funding sources, should Council so decide. Prioritisation (as previously outlined) of the properties to be acquired, cleaned up, and redeveloped would still have to occur, and then their respective redevelopment would be subject to the availability of funds in the reserve.

The new Provincial *Brownfields Statute Law Amendment Act* provides municipalities acquiring properties though failed tax sale with protection for 5 years from Ministry of Environment cleanup orders. Municipalities also now have up to 1 year after a failed tax sale to conduct environmental investigations on a property in order to determine if the municipality actually wishes to take ownership of the property. These measures will assist municipalities in dealing with blighted and contaminated properties. But, to avoid exceeding this five-year liability limitation time frame on one or more properties that it may acquire through failed tax sale, a municipality should have an exit strategy for each property prior to acquisition, as well as a staged acquisition strategy. This is the case whether Option 1 or 2 above is chosen.

The third option is to remain with the current city practises and policies but with a stricter enforcement of property standards per the proposed Property Standards By-Law. In extreme situations where the nature of the buildings structural integrity and or the high risk of accident were severe, the Building Department has issued an unsafe order utilizing the Ontario Building Code Act to secure the building. (249 Hess Street North, 293 Wellington Street North). The redevelopment of these sites would be subject to budget availability, market forces and therefore, could take a significantly longer time (if ever) to be fully remediated.

ANALYSIS OF ALTERNATIVES:

Presently in the City of Hamilton, there are numerous buildings that are considered vacant. These buildings may be vacant awaiting conversion to another type of occupancy, under renovations, or in the process of being marketed for occupancy. As noted previously in this report Recommendation a) through e) and Options #1 - #3 identified in this analysis are intended to address short term issues concerning unsecured buildings. Recommendation f) and Option #4 identified in this analysis is intended to address long term issues relating to the future sustainability and revitalization or ultimate removal of buildings that have been vacant for an extensive period of time with little potential for conversion / renovations under current economic conditions.

Option #1 – Outlines the current legislative method of addressing vacant unsecured buildings. Historically this method has proven effective in addressing most vacant unsecured situations.

That the Hamilton Emergency Services – Fire, Fire Prevention Division continue to be the lead agency in dealing with vacant unsecured buildings utilizing the Ontario Fire Code as the empowering legislation. At the present time, buildings that are identified as open to trespass are addressed by the Fire Prevention Division utilizing the Ontario Fire Code.

- Owners are served with orders to secure the building within a time frame ranging from 24hrs to 7 days depending on the severity of the situation.
- Repeat offenders i.e. buildings with previous enforcement activity relating to an unsecured situation, are given a very short time frame to comply – non-compliance results in prosecution.
- Reinspections are conducted as necessary to determine status of compliance/non compliance; non compliance results in prosecution.
- There is no authority to secure a building under the Ontario Fire Code (the Regulation) until a successful prosecution has been obtained.
- Prosecution under the Ontario Fire Code requires due process to be followed and does not provide Fire with the legislative authority to intercede to secure a building.
- Prosecution can be protracted at which time the building could remain unsecured to unauthorized access. However, of the 22 complaints received in 2002 for unsecured vacant buildings, 20 were secured by the owner without the need for prosecution; two were deemed unsafe and secured under the Building Code Act.
- During the period of prosecution, the responsibility in accordance with the Regulation still rests with the building owner to secure the building – HES-Fire is not liable for personal injury or property damage resulting from a fire or injury to a third party through access to an unsecured vacant building. Upon conviction, if the building is still unsecured to unathorized access, application to provincial court can be made to have the building secured by the City of Hamilton (HES-Fire) with the costs for securing applied to the tax rolls.
- Upon successful conviction, if the unsecured condition still exists, application can be made to Provincial Court to have the building secured with the costs for securing applied to the property tax rolls.
- See Appendix "A" – Fire Prevention unsecured Vacant Building procedure Flow Chart)

As an additional component in addressing vacant buildings, HES-Fire monitors approximately 80 vacant buildings to ensure they are maintained secure. This monitoring is based on presently active buildings and buildings that historically become unsecured on a regular frequency. The monitoring is conducted at various time intervals from weekly inspections to monthly or longer, as deemed appropriate by the Inspector. The monitoring of these buildings has proven effective in identifying problems immediately to ensure timely compliance by owners. As an adjunct to this program, a comprehensive list of monitored buildings is provided on a quarterly basis to firefighting personnel for their information and pre-fire planning.

Securing a fire damaged building:

Under the current and proposed Property Standards By-law, buildings that have sustained fire damage can be secured against trespass utilizing this legislation.

- An " Order to Comply" is issued to the owner of record to secure the property.
- A minimum 14-day compliance period is provided to allow for appeal as required under the Municipal Act.
- Once the order is final and binding, prosecutorial action can be taken through the courts and/or the building can be secured by the Property Standards Division through a third party contractor with the cost applied to the tax rolls of the owner of the property.
- If the order is appealed by the owner, securing of the building cannot be undertaken until the appeal has been reviewed by an Appeal Committee.
- See Appendix "B" – Property Standards Flow Chart

Emergency Situations – Securing buildings deemed to be in unsafe condition:

In situations where HES-Fire identify unsecured vacant buildings that are severely deteriorated structurally, the Building Division is contacted to review the building. A determination is made as to whether the condition is "unsafe" warranting application of the Building Code Act. In this situation, leaving the building unsecured for an unspecified period of time to follow the legislative enforcement path under the Ontario Fire Code or Property Standards By-law is deemed too great of a risk to the community.

- An **"Unsafe Order"** is issued for immediate securing of the building
- Securing the building is undertaken by approved contractor under the guidance and control of the Building Division.
- Cost of work is applied to the tax rolls of the owner of the property.

Option #2 – This option will incorporate all of Option #1 with the following additional component.

The proposed Property Standards By-law incorporates a provision for securing of vacant buildings to prevent unauthorized access. This option would be utilized and have the effect of applying a "parallel" enforcement mechanism by both HES-Fire and Property Standards Division to secure a vacant building. Subsequent non-compliance by an owner will allow both agencies to prosecute an owner for non compliance. In addition, the proposed Property Standards By-law will allow the additional provision to secure a building once the 14 day time period of the order has expired.

Complaints received by the Fire Prevention Division would be acted upon as per the procedure in Option #1. The Fire Prevention Division would also forward any complaint of an unsecured vacant building to the Property Standards Division for follow-up.

Property Standards Division would inspect and initiate enforcement action under the proposed Property Standards By-law as per normal enforcement procedure. (See Appendix "B" Property Standards Flow Chart)

- A complaint received by Property Standards Division concerning an unsecured vacant building would be forwarded to the Fire Prevention Division for their action as noted in Option #1. Property Standards Division would also initiate action under the Property Standards By-law.

Non-compliance by the owner to secure the building within the time constraints provided by Fire or Property Standards Division could result in the following actions:

- Prosecution by Fire and/or
- Prosecution by Property Standards Division and /or securing the building to prevent unauthorized access with the cost applied to taxes.

This method is thought to utilize the maximum enforcement mechanism available to each agency to have a situation corrected by an owner in the shortest compliance time.

Option #3 – This option would utilize the proposed Property Standards By-law and the Building Code Act for "Unsafe" buildings to co-ordinate all enforcement activities for vacant unsecured buildings under Building Division and Property Standards Division, as reflected in Recommendations a) and c). In addition monitoring of vacant buildings previously secured, will be conducted by HES-Fire, Recommendation e).

Property Standards Division would inspect on a complaint basis and initiate enforcement action under the proposed Property Standards By-law as per normal enforcement procedure. (See Appendix "B" Property Standards Flow Chart)

Under the proposed Property Standards By-law, vacant buildings that have sustained fire damage or are found unsecured can be secured against trespass as follows:

- An " Order to Comply" is issued to the owner of record to secure the property.
- A minimum 14-day compliance period is provided to allow for appeal as required under the Municipal Act.
- Once the order is final and binding prosecutorial action can be taken through the courts and/or the building can be secured by Property Standards Division through a third party contractor with the cost applied to the tax rolls of the owner of the property.
- If the order is appealed by the owner, securing of the building cannot be undertaken until the appeal has been reviewed by an Appeal Committee.
- See Appendix "B" – Property Standards Flow Chart

Emergency Situations – Securing buildings deemed to be in unsafe condition:

In situations where an unsecured vacant building is deemed unsafe due to severe structural deterioration, warranting application of the Building Code Act the following procedure will be utilized:

- An **"Unsafe Order"** is issued by the Building Division for immediate securing of the building
- Securing the building is undertaken by approved contractor under the guidance and control of the Building Division.

Cost of work is applied to the tax rolls of the owner of the property

An additional component of this option will be the monitoring of vacant buildings by on-duty HES-Fire, suppression personnel of buildings secured pursuant to the Property Standards By-law/Building Code Act. Historically monitoring has assisted in identifying potential problems from an early onset before developing into a problematic situation. A communication mechanism will be developed by HES-Fire and Building Division/Property Standards Division staff to co-ordinate the status of vacant buildings to ensure an accurate monitoring assessment of vacant buildings.

Addressing vacant buildings through a single enforcement agency enhances and streamlines jurisdictional responsibility without the overlapping of administrative processes. The ability to address all variations of vacant unsecured building risks, including those that present a severe risk of accident, those damaged by fire and any other property standards related issue that may arise through a single enforcement agency is proactive and efficient.

In many situations, buildings that are vacant and unsecured buildings manifest themselves with other property standards deficiencies (uncut grass/weeds, abandoned refuse etc.) that could be addressed in a single site inspection by one department.
In utilizing the proposed Property Standards By-law, non-compliance by an owner offers the ability to secure under the By-law in a timely fashion with the ability to bring prosecutorial action as applicable against the owner for non-compliance.

An environmental scan of area Fire Departments (Windsor, St. Catharines, Burlington, Niagara Falls and Toronto) found they forwarded their concerns on vacant unsecured buildings to their Property Standards Division for action. The underlying theme from these departments identified timely securing of buildings under property standards rather the protracted legal approach through the courts utilizing the Ontario Fire Code.

Option #4 – Selecting one of the aforementioned options and then based on staff recommendations, after thorough and complete analysis, approve a strategy that will enable the City of Hamilton to acquire or control prioritised vacant/abandoned buildings.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial –

Securing vacant buildings under the current procedure as outlined in Option #1, will have no financial impact to HES-Fire given that it is the owner's responsibility for securing a building. There is no cost impact to the corporation beyond the staff resources to conduct inspections and proceed to prosecution if and as necessary. There are some costs associated with applying the current Property Standards Bylaw (securing a fire damaged building) and/or the Building Code Act (i.e. 363 Wellington Street North). These costs can be recovered by applying them to the tax rolls of the property in question and subsequently collected from either the existing owner or the new owner.

The short term financial impact to the corporation will increase in securing buildings under the proposed Property Standards Bylaw and/or the Building Code Act as identified in Option #2 or Option #3. Again the costs associated in securing buildings can be recovered by applying the costs to the tax rolls of the subject property and collected by the existing owner or a future owner although this process can take significant length of time especially with larger buildings that may not be readily marketable.

The financial impact of acquiring the sites in question are undetermined at this time. Costs and impacts would vary based on Council direction regarding municipal control of prioritised sites. However, given that there are numerous affected properties, the potential liabilities and associated costs (i.e., basic clean up, contamination-related remediation, demolition, site security, etc.) are likely to be very significant. In addition, there could be significant costs and potential financial exposure related to the legal liability of owning derelict properties (site safety issues, insurance, etc).

Staffing –

Regarding Option #1, there is no impact to staffing for either the HES-Fire or Building Division and Property Standards Division since this process is currently in place.

Regarding Option #2 – there is no impact to staffing for HES-Fire. The parallel legislative action by Property Standards Division / Building Division upon complaint will increase the overall yearly complaints addressed concerning vacant unsecured buildings. However, for 2002, there were only 22 complaints received by HES-Fire. It is felt that this small number of complaints can be addressed by the current Property Standards Division staff. Further, a review of complaints received for the Fire Prevention Division West Area concerning vacant unsecured buildings indicates that the 66% of those complaints were also circulated to the Property Standards Division for their review and action on various matters other than the unsecured condition of the building.

Regarding Option #3 –Option #3 will have no staffing impact to the Property Standards Division / Building Division as explained and noted above. The on-going monitoring that will be undertaken by HES-Fire will not impact staffing requirements as the monitoring will be facilitated by on-duty fire suppression crews. HES-Fire, Fire Prevention Division will apply staffing resources previously assigned to vacant buildings activity to core Fire Prevention and Public Education activities.

Regarding Option #4 - The current Economic Development Department complement can accommodate this request and the associated workload.

Legal -

Legal input will be required with respect to environmental liabilities and protections regarding municipal acquisition of contaminated site.

The quickest and most effective method to secure a building which poses a risk to the public should be utilized to ensure that the City has met their duty to the public. Use of the proposed Property Standards By-Law either in conjunction with the Ontario Fire Code or alone can effectively address this issue as there is the ability not only to make an order to comply but also the ability to effect repairs or demolition on a timely basis where necessary. The single enforcement agency approach can be effective in eliminating duplication of resources, streamlining control and communications and promoting consistency.

A liberal interpretation by the Building Division of whether a building is "unsafe" is recommended as the potential risk of injury or death occurring from not securing potentially unsafe premises greatly outweighs the damages to which a building owner would be entitled if a court found that the securing of the building by the City was not warranted. In implementing such a procedure, the approach and application must be consistently undertaken by the Building Division. There must be clear understanding as to when a building "open to unauthorized access" necessitates it being secured by the City (where an owner does not comply within the required time frame or cannot be located) and how much time an owner will be permitted to comply.

A municipality is not liable to compensate an owner, occupant or any other person by reason of anything done by or on behalf of the municipality in reasonable exercise of the emergency measures taken to terminate an immediate danger or if an order to comply with a property standard has not been satisfied.

POLICIES AFFECTING PROPOSAL:

Adoption of Recommendation a) through d) would require revision to internal policies concerning vacant unsecured buildings for HES-Fire, and Building Division and Property Standards Division.

Adoption of Recommendation e) will impact internal policies for HES-Fire, Building Division, Property Standards Division and Hamilton Police Services.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

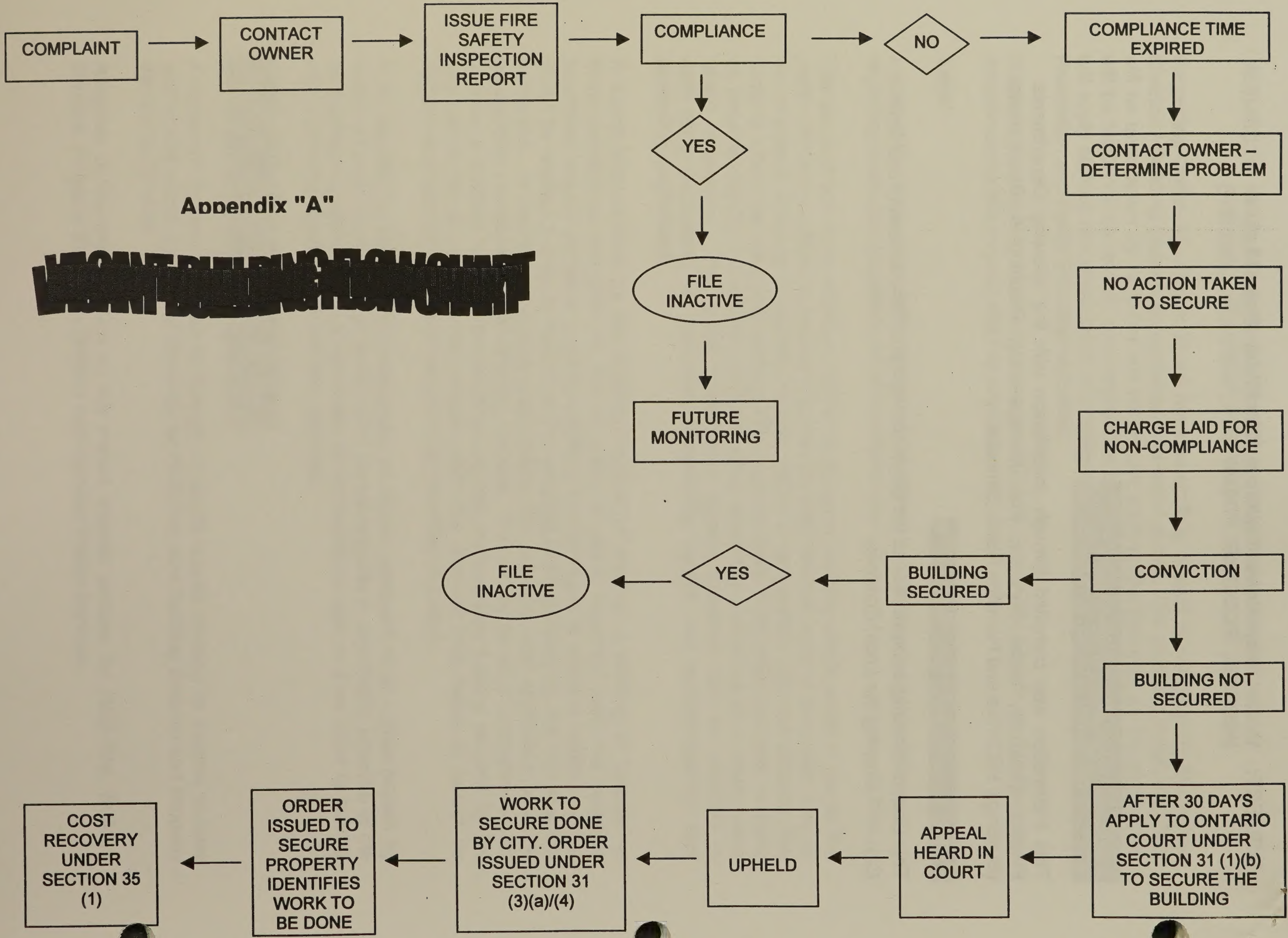
This information was compiled through consultation with the following Departments: Finance (Budgets, Legal Services, Risk Management), Planning & Development (Building), HES-Fire and Hamilton Police Services.

CITY STRATEGIC COMMITMENT:

This Council directive achieves two of the City's strategic priorities; *A Healthy and Safe City*, and *Growing the Local Economy*.

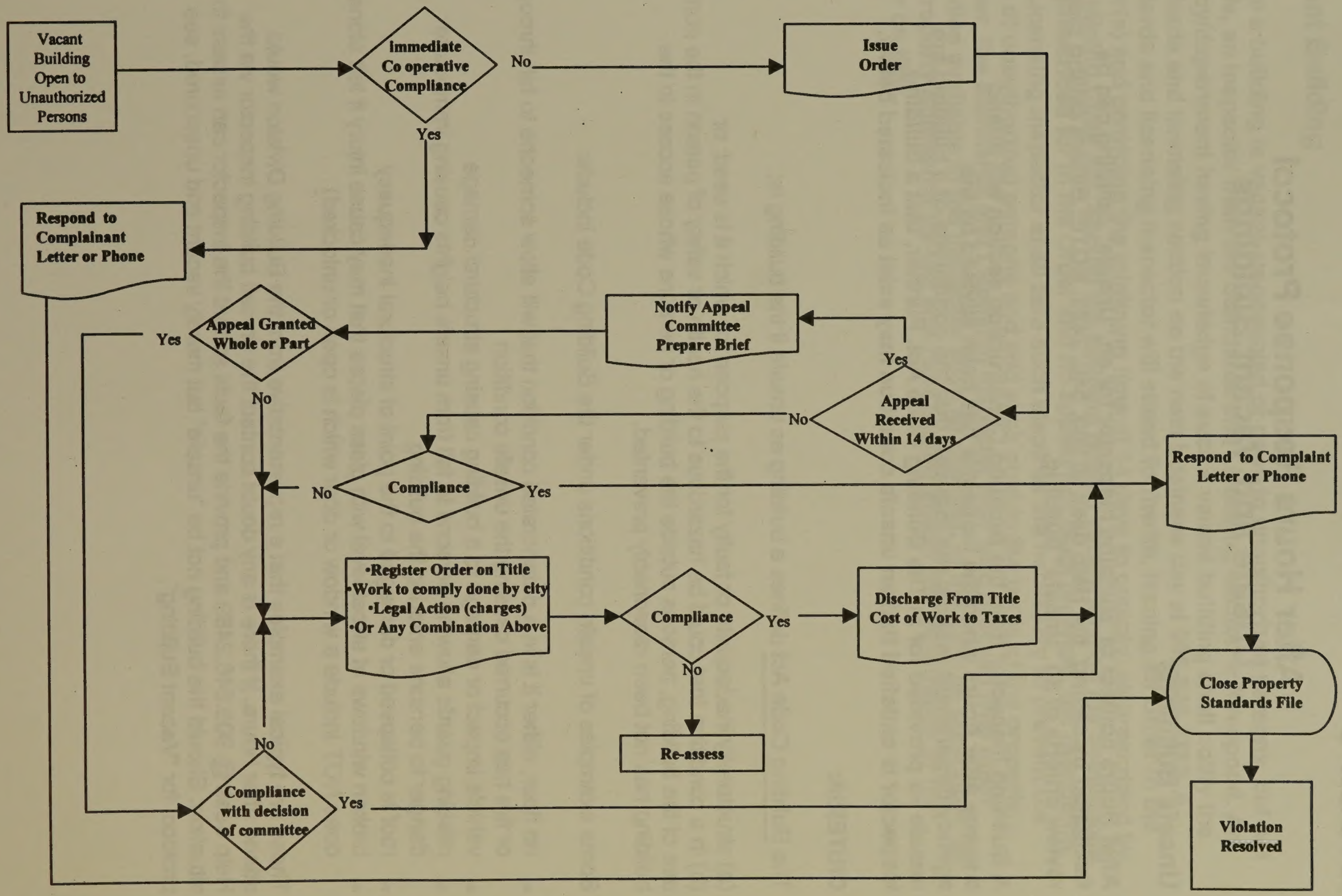
Appendix "A"

[redacted]


COMPLAINT
CONTACT OWNER
ISSUE FIRE SAFETY INSPECTION REPORT
COMPLIANCE
YES
FILE INACTIVE
FUTURE MONITORING
NO
COMPLIANCE TIME EXPIRED
CONTACT OWNER – DETERMINE PROBLEM
NO ACTION TAKEN TO SECURE
CHARGE LAID FOR NON-COMPLIANCE
CONVICTION
BUILDING SECURED
YES
FILE INACTIVE
BUILDING NOT SECURED
AFTER 30 DAYS APPLY TO ONTARIO COURT UNDER SECTION 31 (1)(b) TO SECURE THE BUILDING
APPEAL HEARD IN COURT
UPHELD
WORK TO SECURE DONE BY CITY. ORDER ISSUED UNDER SECTION 31 (3)(a)/(4)
ORDER ISSUED TO SECURE PROPERTY IDENTIFIES WORK TO BE DONE
COST RECOVERY UNDER SECTION 35 (1)

Property Standards Flow Chart

APPENDIX "B"


Vacant Building Open to Unauthorized Persons
Immediate Co operative Compliance
No
Yes
Issue Order
Respond to Complainant Letter or Phone
Notify Appeal Committee Prepare Brief
Yes
Appeal Granted Whole or Part
Yes
No
Appeal Received Within 14 days
No
Compliance
No
Yes
Respond to Complaint Letter or Phone
•Register Order on Title
•Work to comply done by city
•Legal Action (charges)
•Or Any Combination Above
Compliance
Yes
No
Discharge From Title Cost of Work to Taxes
Re-assess
Close Property Standards File
No
Compliance with decision of committee
Yes
Violation Resolved

APPENDIX "C"

After Hours Response Protocol Unsafe and Vacant Buildings

Unsafe Buildings

After Hours contact of Building Inspector for an "Unsafe" building can be facilitated by calling the Help desk @ 905. 546. 2489. NOTE: Before calling please review criteria of an "unsafe" building.

A Building inspector from the Building Construction section will attend a scene after hours when the inspector has been advised by the agency/department making the request, that the conditions of a building are unsafe as provided for in The Building Code Act. Further, that a building Inspector is satisfied that an unsafe condition may exist as indicated below.

CRITERIA:

The Building Code Act defines a building as unsafe if the building is:

(a) structurally inadequate or faulty for the purpose for which it is used; or
(b) in a condition that could be hazardous to the health or safety of person in the normal use of the building, persons outside the building or persons whose access to the building has not been reasonably prevented.

Some examples of unsafe conditions under the Building Code include:

- no floor, either it is in a deteriorated condition that will allow someone to fall through or fire has occurred causing the unsafe condition
- vehicle impact or damage to a building causing structural damage
- missing guards allowing persons to fall from unsafe heights causing immediate danger to persons entering the building
- roof is collapsed or damaged to the point of structural inadequacy
- broken windows at street level with glass pieces that may cause injury if left alone(does NOT include a window or door which is open or unlocked)

These are typical examples that a representative from the Building Division would attend after hours. If there is any doubt contact the on-call building inspector via the Help desk @ 905.546.2489 and provide the facts so that the inspector can assess the situation. Should the building not be "unsafe" but merely vacant and unsecured, see protocol for "Vacant Building".

Vacant Building

Where a building is vacant, unoccupied or open to unauthorized persons, but not unsafe, an inspector from the Standards and Licensing section will respond. An agency/department having knowledge of such a vacant building shall notify the standards and licensing section on the next business day at 905-546-2782. A standards and licensing inspector will attend forthwith, issuing an Order to the owner(s) and providing the minimum time of 14 days to comply, as prescribed by the Building Code Act. Should the building remain vacant beyond the compliance time prescribed for in the Order and no appeal has been received, the Standards and Licensing inspector shall take such steps as are necessary to prevent the entry of unauthorized persons and add such cost to the taxes of the property. Further, the Standards and Licensing Inspector may also proceed with other remedies available to the inspector such as charges, in the form as prescribed by the Property Standards By-law and Fees By-law and/or the registration of the Order on title.

SECTION 15

CITY WIDE IMPLICATIONS

15.1

CITY OF HAMILTON

FINANCE AND CORPORATE SERVICES DEPARTMENT
Office of the City Clerk

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Councillor Sam Merulla on behalf of the City of Hamilton Licensing Committee
Date:	March 20, 2003	**Prepared by:**	Stella Glover 546-3993

SUBJECT: Licensing Committee Report 03-002 – March 19, 2003 (City Wide)

RECOMMENDATION:

(a) **Robert P. Birnie of Thos. R. Birnie & Sons – Plumbing Contractor's Licence** (Item 3.1)

That a Plumbing Contractor's Licence be granted to Robert P. Birnie of Thomas R. Birnie and Sons Limited subject to the following condition:

That for a period of one year the applicant is to submit a written report to the Issuer of Licences on the last day of each month, beginning in April 2003. This report to set forth the location of each plumbing job for which a permit was required under the Building Code, with the signature of a master plumber attesting that the job was inspected upon completion.

(b) **Azhari Sulaiman – Taxi Cab Driver Licence** (Item 3.3)

That a Taxi Cab Driver Licence be granted to Azhari Sulaiman subject to the following condition:

Submission of an updated driving abstract to the Issuer of Licences at six monthly intervals for the next calendar year.

(c) **Hassan El Manufi – Taxi Cab Driver Licence** (Item 3.4)

That a Taxi Cab Driver Licence be denied to Hassan El Manufi due to his extensive driving record.

(d) **Jerry Doddato, Waterdown Taxi – Taxi Cab Driver Licence** (Item 3.5)

That a Taxi Cab Driver Licence be granted to Jerry Doddato subject to the following condition:

Submission of an updated driving abstract to the Issuer of Licences at three monthly intervals for the next calendar year.

Merulla

Councillor Sam Merulla, Chairman
City of Hamilton Licensing Committee

EXECUTIVE SUMMARY:

The Committee based its decisions on the staff recommendations, the testimony of the appellants, legal representatives and witnesses and, with respect to items (b), (c) and (d), upon the appellants' driving records.

BACKGROUND:

Applicant Robert P. Birnie of Thomas R. Birnie & Sons was called to appear before the Licensing Committee to Show Cause why his Plumbing Contractor's Licence should be renewed, as a result of infractions of the Ontario Building Code

The Committee heard evidence from witnesses on behalf of the Issuer of Licences with regard to infractions of the Ontario Building Code, inadequate workmanship and quality of materials. The appellant acknowledged that problems had occurred. His legal representative called witnesses to explain the problems encountered, and the attempts made by his client to rectify the situation and to improve quality control in the future.

After deliberating, the Committee agreed to issue the licence for a period of one year, subject to the following condition:

That for a period of one year the applicant is to submit a written report to the Issuer of Licences on the last day of each month, beginning in April 2003. This report to set forth the location of each plumbing job for which a permit was required under the Building Code, with the signature of a master plumber attesting that the job was inspected upon completion.

Taxi Drivers Azhari Sulaiman, Hassan El Manufi and Jerry Doddato had been denied licences by the Issuer of Licences and therefore appeared before the Licensing Committee at their own request, to appeal the decisions.

(Confidential Background Information with regard to Show Cause Hearings is available to Members of Council from the Secretary of the Licensing Committee upon request).

ANALYSIS OF ALTERNATIVES:

Not applicable

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Not applicable

POLICIES AFFECTING PROPOSAL:

Not applicable

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Not applicable

CITY STRATEGIC COMMITMENT:

Not applicable

Cc: Lee Ann Coveyduck, General Manager, Planning and Development Department
Peter Lampman, Issuer of Licences, Director of Building and Licensing
Doug Rose, Manager of Licensing and Standards, Building & Licensing Division
Dave Beck, Assistant Corporate Counsel, Corporate Services

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2003

MUNICIPAL DOCUMENT

City of Hamilton

AGENDA

COMMITTEE OF THE WHOLE 03-010

Tuesday, April 8, 2003

9:30 a.m.

Council Chamber
Hamilton City Hall
71 Main Street West
Hamilton, Ontario

Kevin C. Christenson
City Clerk

Please note: All cellular telephones and pagers to be switched to a non-audible function during Council and Committee meetings.

Agenda available on-line at www.hamilton.ca
(click on "City Government")

1. DECLARATIONS OF INTEREST

2. ADOPTION OF MINUTES

2.1 April 1, 2003 (to be distributed)

3. DELEGATION REQUESTS

3.1 Request to address the Hearings Sub-Committee by Ken Tigchelaar, Chair, Property Development Committee, Calvin Christian School respecting providing relief from development charges

3.2 Request to address the Hearings Sub-Committee by Dale Wilson respecting direct High Speed Hover Craft Service

4. CONSENT ITEMS

4.1 Community Heritage Ontario: 2003 Conference - May 23 to 25, 2003 - Sarnia

5. PRESENTATIONS

5.1 Presentation respecting Allan Cup

DISCUSSION ITEMS

6. CITY MANAGER

None

7. CORPORATE SERVICES

7.1 Hamilton Beach Rescue Unit Second Payment Request from Capital Reserve (FCS03075)

8. ECONOMIC DEVELOPMENT

None

9. EMERGENCY SERVICES

None

10. HUMAN RESOURCES

None

11. PLANNING AND DEVELOPMENT

None

12. PUBLIC HEALTH AND COMMUNITY SERVICES

None

13. PUBLIC WORKS

None

14. JOINT DEPARTMENTAL REPORTS

None

15. REPORTS BY SUB-COMMITTEES

15.1 Report of the Affordability & Accessibility Task Force

16. REPORTS BY THE VOLUNTEER CO-ORDINATING COMMITTEES

None

17. ITEMS REFERRED BY CITY COUNCIL

None

18. MOTIONS

None

19. NOTICES OF MOTIONS

None

20. GENERAL INFORMATION

None

21. PRIVATE AND CONFIDENTIAL

None

22. ADJOURNMENT

OUTSTANDING BUSINESS

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
A.	Report on Colliers Recommendations – HECFI Facilities	March 28/01	Community Services		2002 - Q1
B.	Demolition of 226 Avondale Street	April 25/01	N/A		TABLED by Ward Councillor
C.	Toll for Red Hill Creek Expressway	Nov 21/01	Public Works Corporate Services	Staff to bring a report back on option for tolling Red Hill Creek Expressway	Awaiting Provincial Regulations
D.	Council Communication - Residential Care Facilities	Jan. 23/02	Public Health and Community Services	Referred to staff for comments	
E.	Strategy to attract Factory Outlet stores	Feb. 13/02/further updated on August 6/02	Economic Development	Staff to bring implementation plan to Committee	
F.	Strategy for prioritizing abandoned industrial and commercial warehouse structures	Feb. 13/02 Aug. 13/02 follow-up request made	CMT	Staff to bring implementation plan to Committee	
G.	Remuneration and Expenses	March 5/02	Corporate Services	Staff to report back in future reports highlighting offsetting revenues which create a net expenditure, consultation with Councillors, indication of expenses authorized as Council expenses	March 2003

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
H.	Pest Control	May 7/02	Planning and Development	Staff to report back on control of pests/rodents prior to demolition permit issued	
I.	Hannon Post Office	May 7/02	Corporate Secretariat	Staff to report back on possibility of address changes that align with telephone exchanges	
J.	Correspondence from Hamilton District Labour Council/HUC Corporation Position Paper	Apr. 30/02	Corporate Services and HUC	Staff to bring report back	
K.	Capital Program to modify mountable curb driveway approaches	July 2/02	Public Works	Three sections tabled pending public consultation	
L.	Uncovered crossovers on highways	August 6/02	Risk Management and Legal	Staff to bring report back on uncovered crossovers on highways	
M.	Floating Casino - West Harbour	August 13/02	Legal Services	Staff to report back on feasibility of securing a casino license for floating casino	Nov./02
N.	Downtown cleanliness	August 13/02	Public Works	Staff to report back on how much it cost to keep the downtown clean prior and during FCM	
O.	Correspondence from Mr. Reginald Beaudry respecting Tree Species List	Council Communication of September 11, 2002	Community Services	Staff to report back to Committee of the Whole as part of the Forestry Management Plan exercise	

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
P.	Hamilton Future Fund	Sept. 10/02	Corporate Services	Staff to provide monthly reports to Council and Trustee Panel on the approved projects to assist in monitoring	Ongoing
Q.	Services Review - City Maintenance Operations	Sept/10/02	City Manager	City Manager to provide ongoing and final reports to Council on behalf of the Services Review Committee	Ongoing
R.	Hamilton's Wastewater System	Sept. 17/02	Public Works	Staff to investigate possible partnership re: dredging of the Windemere basin, Updates	
S.	Subsection g) HMRF/HWRF Pension Administration Sub-Committee Report	Sept. 24/02	COW	Tabled pending delegation from Hamilton Police Association appearing at HSC	
T.	By-law to regulate postering of signs on public property	Sept. 17/02	Public Works and Corporate Services	Staff to prepare by-law to regulate	
U.					

SECTION 3

Gallagher, Mary

3.1

From: K & K Greenhouses [ktig@sprint.ca]

Sent: March 28, 2003 4:47 PM

To: mgallagh@hamilton.ca

Subject: request for hearing sub-committee meeting

Good afternoon.

Please accept our request to be heard on behalf of the Calvin Christian School, Dundas before the hearing sub committe to ask for an exemtion regarding developement charges we have been assesed regarding an addition we would like to make to our school.

I have sent some background info to Alexandra Rawlings Via counsellor Bradens office

I hope this is enough information to get us started .if you would like more info or if you need to talk to me please call anytime@519 623 7688
Thanks Ken tigchelaar.

Building committee chair

MAR 2 7 2003

CALVIN CHRISTIAN
SCHOOL - DUNDAS

542 OFIELD ROAD NORTH
R.R. #2, DUNDAS, ONTARIO
L9H 5E2

TEL. 905-627-1411

March 25, 2003

Mayor Bob Wade and Members of Council
City of Hamilton
Hamilton, Ontario

Dear Mayor Wade and Members of Council:

Dundas Calvin Christian School is a non-denominational Kindergarten to Grade 8 school located on Ofield Road North, with a current enrolment of 265 students.

For the past two years, a group of volunteers have been active in fund-raising to allow for expansion of the school's gymnasium and library as well as providing additional classroom space.

It is our hope to commence construction this spring so that the expanded facility will be ready when classes resume in September.

On behalf of the board of directors and the membership of Calvin Christian School, I am writing to request that Hamilton Council provide relief from the development charges as they are contained in the bylaws of the former Town of Flamborough.

As city staff indicated to us in the attached letter from George Wong, Building Engineer, dated February 14, 2003, "both regional and local development charges will be exempted provided the school meets the criteria set out in Section 8 (d) (v) of Region of Hamilton-Wentworth Development Charges By-law No. R99-074 and Section 8 of Flamborough Development Charges By-law F-99-82-D."

While Calvin Christian School clearly meets the criteria in the former Region's By-law R99-074, the by-law of the former Town of Flamborough only grants exemption from development charges to "any board within the meeting of Sub-Section 1 (1) of the Education Act." Requests from private, non-profit schools for exemption from development charges were, in the past, dealt with individually by Flamborough Council.

Therefore, we are now respectfully asking that Hamilton Council will grant such exemption, which is consistent with the intent of the Regional By-law R99-074, and also consistent with our understanding of how the City of Hamilton has granted exemption from development charges to institutions similar to ours that have also recently undertaken construction projects.

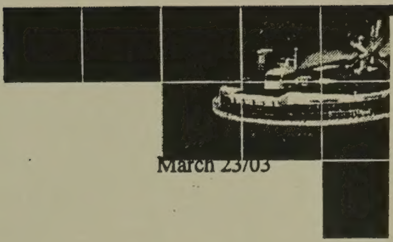
We are hoping that City Council will consider our request at their earliest possible opportunity so that it may still be possible for us to proceed with this project in time for September completion.

Should my attendance be required at the meeting when this matter is to be discussed, or if any further information is needed, please do not hesitate to contact me at the phone number below.

On behalf of the membership of
Dundas Calvin Christian School,

Ken Tigchelaar, Chair
Property Development Committee

Home Phone - 519-623-7688 day/night



March 23/03

3.2

DHS –Corporate Division
Dale K. Wilson
264 Glenwood Crescent
Bolton, ON.
L7E1Z4
416-888-9593 Cell
Dalewilson@rogers.com

To > Mary Gallagher, Co-ordinator, Committee of Hamilton City Council
PLEASE CONFIRM RECEIPT TO EMAIL ABOVE)

I would like to introduce DHS (Direct Hover Service) to Hamilton Council, a rather unique and exclusive opportunity. In the coming months a High Speed Hover Craft Service is currently under development and being proposed for Lake Ontario, with a landing site potentially scheduled for Hamilton, the craft will run from St. Catharines to Whitby allowing people easier access to Toronto by water. I would like to take this opportunity to give council some detail in regards to DHS future plans so that discussions may follow at your next council meeting. The project will use 2 high-speed hovercrafts to significantly aid in the mass transportation of commuters into the down town core daily from outlying cities such as Hamilton, where commuters are currently experiencing increased commute and transit times. The craft will SIGNIFICANTLY ease traffic congestion and gridlock problems along the major 400 series corridors, resulting in better traffic flow for the entire region. The crafts main goal is to allow commuters an affordable and competitive alternative to traditional commuting methods. This solution utilizes technology suitable for Lake Ontario, while capturing the benefits of the local geographics of Hamilton's location to the water and population density. DHS plans to capitalize on the growing demand and expanding commuter market of Southern Ontario. DSH will offer an economical solution **at a substantial cost savings** compared to alternatives such as development of new highways or rail systems. This particular solution will provide new economic corridors for neighboring cities through reduced road congestion, which will aid in reducing pollution and smog levels in the general Hamilton region. The project is environmentally friendly with a very low impact, as the project will not force the reduction of green spaces or cause valuable farmland to be lost to implement this project.

Gridlock is a clearly identified problem by mayors of several cities and the transportation minister of Ontario himself *"It is time a possible traffic solution was actively sought out...lets make Toronto a better place, to live work and play"*. Southern Ontario residents need an innovative solution for reducing traffic problems and while increasing transit options throughout the GTA. Clearly the highways and current rail options are just not enough, and rush hour times have been steadily rising over the last 5 years to a point where people spend upwards of 2 hours each way in commute time. More emphasis is needed on regional development to address and rectify this problem facing the communities of Southern Ontario. By creating infrastructure, communities will benefit from increased productivity, reduced stress and a higher quality of life. DHS directly addresses the concern around traffic gridlock, by offering this service to your community NOW.

Issues DHS would like Council to consider:
-Landing Space for the craft
-Supplying public transit to the landing area
-Increasing community infrastructure
-Studies on possible commuter demand and Transit study
-The economic benefits to the community of creating a landing site

The Province and the people of Southern Ontario want real positive change that addresses the smog, congestion, and traffic gridlock throughout Toronto and surrounding cities.

DHS would like to have acknowledgement by council that talks are preceding in favor of the plan and proposed service. The endorsement and acknowledgment by Council is a step in the right direction to actively bettering the community in a variety of economic and non-economic ways. Reasons for supporting the project include reduced Green House Gases, a cleaner environment, less traffic, more time for relaxing, less cars on the roads, infrastructure building, a solution that does not involve the destruction of the green space in the community, and the ability of council to promote the positive attributes of their community to encourage growth and economic vitality, **without economic hardship bourn upon the tax payers.**

I look forward to presenting more information to Council regarding the DHS project for Lake Ontario at your next council meeting.

Thank you
Dale K. Wilson

SECTION 4

CITY WIDE IMPLICATIONS

4.1

CITY OF HAMILTON

LOCAL ARCHITECTURAL CONSERVATION ADVISORY COMMITTEE

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Diane Dent, Ph.D. Chairman LACAC
Date:	March 25, 2003	**Prepared by:**	Carolyn Biggs 546-2604 David Cuming 643-1262 Ext. 215

SUBJECT: **Community Heritage Ontario: 2003 Conference**
May 23 to 25, 2003 - Sarnia (City Wide)

RECOMMENDATION:

(a) That Donna Reid be authorized and directed to attend the 2003 Conference of Community Heritage Ontario from May 23 to 25, 2003 in Sarnia, as a designate of LACAC;

(b) That Finance staff be requested to determine the appropriate funding source, not to exceed $200.

Diane G Dent

Diane Dent, Ph.D.
Chairman, LACAC

EXECUTIVE SUMMARY:

The City of Hamilton LACAC is an advisory committee to Council on heritage conservation matters under the Ontario Heritage Act. Attendance at the Community Heritage Ontario's annual conference constitutes part of continuing education and is considered to be of benefit in allowing LACAC members to network with other municipal LACACs.

BACKGROUND:

Community Heritage Ontario (CHO) is an umbrella organization for Ontario LACACs (now referred to as Municipal Heritage Committees) that was established in the late 1980's. CHO holds a variety of seminars throughout the year, as well as an annual conference, to assist LACAC's and their members in developing expertise and acquiring knowledge of heritage conservation principles, practices and management.

ANALYSIS OF ALTERNATIVES:

LACAC considers that there is benefit in sending one representative to such a conference; however, LACAC does not have an allocated City budget and any funding for conference attendance must come from sources that have yet to be identified. The Corporate Services Department and the Planning and Development Department do not have funds allocated for such activities of volunteer committees. Additionally, there are no other sources from these Departments that can support this type of funding request from volunteer committees.

Accordingly, if City funding is not available the only alternative is for LACAC members to attend and assume any required costs as a personal expense.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

At its meeting of March 20, 2003 LACAC considered a suggestion from members to fund LACAC attendance at the annual conference of CHO to be held in Sarnia. Staff advised that there was no budget allowance in either the Corporate Services Department or the Planning and Development Department.

It was recommended by LACAC that one member be authorised to attend, with an upset limit of $200 and an appropriate funding source be determined by City Council.

CITY STRATEGIC COMMITMENT:

Not applicable.

SECTION 7

CITY WIDE IMPLICATIONS

7.1

CITY OF HAMILTON

Corporate Services
Budgets and Fiscal Policy

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Joseph L. Rinaldo, General Manager
Date:	March 27, 2003	**Prepared by:**	Chris Felker 546-2567

SUBJECT: **Hamilton Beach Rescue Unit Capital Reserve Second Payment Request (FCS03075) - (City Wide)**

RECOMMENDATION:

That the Hamilton Beach Rescue Unit be provided a payment of $95,000, which will be used towards continued building renovations, funded from the Hamilton Beach Rescue Unit Capital Reserve (Dept ID 110005).

Joseph L. Rinaldo, General Manager
Finance & Corporate Services

EXECUTIVE SUMMARY:

Staff recommend that Council approve a further payment of $95,000 to the Hamilton Beach Rescue Unit (HBRU) which will be used to offset costs associated with renovations to their building. The payment will be funded from the HBRU Capital Reserve.

On February 26th, 2003, Council approved Report FCS03060, Hamilton Beach Rescue Unit Capital Reserve Payment Request, which recommended a $65,000 payment from the HBRU Capital Reserve to be used towards building renovations. Within the last few weeks, this agency has contacted staff to request a further $95,000 from the HBRU Capital Reserve to be used towards the building renovations. Including the HBRU's 2003 grant request as approved by Council during the 2003 Budget Process, the reserve balance is $98,179.39. If approved, the additional payment of $95,000 will reduce the capital reserve to $3,179.39.

A portion of each year's grant to the organization is allocated to the Hamilton Beach Rescue Unit Capital Reserve. When capital funds are required, the organization requests a payment, thus drawing down on the funds within the reserve.

BACKGROUND:

The City of Hamilton provides an annual grant to the Hamilton Beach Rescue Unit and is comprised of an operating and a capital portion. As approved by Council during the 2003 Budget process as an external Boards and Agency, the 2003 grant is $105,000 ($60,000 capital, $45,000 operating), a $7,000 increase over the 2002 grant ($60,000 capital, $38,000 operating). Historically, the operating portion of the grant is paid in-year to the organization, whereas the capital portion is transferred to the Hamilton Beach Rescue Unit Capital Reserve (Dept ID 110005). When capital funds are needed, the organization requests payment from the reserve.

On February 12th, 2003, Council approved an advance of $10,000 to the Hamilton Beach Rescue Unit to be used for operating costs for this coming season. This funding was an advance of the operating portion of their 2003 grant and the remaining payments will be adjusted based on this advance and final Council budget approval.

On February 26th, 2003, Council approved Report FCS03060, Hamilton Beach Rescue Unit Capital Reserve Payment Request, which recommended a $65,000 payment from the HBRU Capital Reserve to be used towards building renovations.

ANALYSIS OF ALTERNATIVES:

N/A

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

As mentioned above, including the capital reserve funding of $60,000, approved as part of the 2003 Budget process, the reserve balance is $98,179.39. If approved, the additional payment of $95,000 will reduce the capital reserve to $3,179.39.

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

N/A

CITY STRATEGIC COMMITMENT:

The external boards and agencies provide a variety of services that benefit the City of Hamilton.

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